

JINNAH PAPERS

ON THE THRESHOLD OF PAKISTAN

1 July – 25 July 1947



FIRST SERIES

Volume III

Editor-in-Chief

Z. H. ZAIDI, S.I.

M.A., LL.B. (Alig.), Ph.D. (London)

QUAID-I-AZAM PAPERS PROJECT
CABINET DIVISION
GOVERNMENT OF PAKISTAN

Foreword

The present volume is the third in the first series of *Jinnah Papers*. Volumes I and II, sub-titled *Prelude to Pakistan* and *Pakistan in the Making*, covered the periods from 20 February to 2 June and from 3 to 30 June 1947 respectively. Volume III covers a period of only 25 days but deals with issues no less momentous: structuring a legal framework for the partition; apportionment of assets; and creating a whole new state apparatus for a nascent country. Jinnah is seen here pitted against redoubtable opponents—the British Viceroy and the Indian Congress—determined to yield as small a territory to Pakistan as possible. The Partition Committees charged with the division of assets, too, were unwilling to give Pakistan its due and fair share.

This volume comprises 439 documents. These have been arranged in chronological order, numbered sequentially, and supplemented by eight appendices containing 232 documents. The documents portray contemporary political problems and provide new information on various issues arising out of partition. Reports of proceedings of Expert Committees and Subcommittees set up, *inter alia*, for the division of assets have not been reproduced in full. Only reports containing important material have been included; others have generally been epitomized in editorial notes.

The editing of *Jinnah Papers* is a challenging, if rewarding task. The editorial staff not only has to edit the available documents but also to cull relevant material from other sources in order to supplement the evidence provided by the *Quaid-i-Azam Papers*. Hitherto, we have garnered a large number of relevant documents from the British Library, including the *Mountbatten Papers*. However, we feel that the British documents reflect, by and large, a British perspective. This is particularly true of Mountbatten's despatches which are not free from personal prejudice and lack an objective stance. There was obvious need, therefore, to look for more detached evidence.

I consulted the American Archives in Washington and came across considerable new material on various relevant issues. The American officials in India were in touch with a cross-section of political leaders, bureaucrats, and others. Their information was predicated on what they gathered from a variety of sources as well as on what they observed themselves. Some of this new material, which was xeroxed by my wife Parveen Zaidi, who has been a pillar of strength for both me and the Quaid-i-Azam Papers Project, has been included in the present volume. More will be appearing in the volumes to come.

Documents from the *Quaid-i-Azam Papers* have been identified quoting

their file and folio numbers. Thus, F. 2/171 refers to file number 2 and folio number 171. In the footnotes, *QAP* documents have been referred to as F.1/125, *QAP*. References to documents already included in the two volumes of *Jinnah Papers* have been made by document number, volume number, and page(s) number, e.g. No. 311, Vol. II, 589–94. Appendices to the earlier volumes have been mentioned as Appendix X, Vol. I, Part II, 479–81. Appendices to the present volume have been referred to simply as Appendix III.1.

Volumes I and II of the *Jinnah Papers* received accolades and critical acclaim alike from the press, scholars, and historians. The President of Pakistan, Mr Farooq Ahmad Khan Leghari, who launched the first two volumes on 30 May 1995, as well as the Prime Minister of Pakistan, Ms Benazir Bhutto, to whom the two volumes were presented, greatly commended this work of historical importance. Both of them emphasized the dire need of providing exhaustive documentation on the life and achievements of Quaid-i-Azam Mohammad Ali Jinnah. The President also directed that abridged volumes in Urdu be brought out, containing selected documents from the first two volumes. Work on those volumes is already well under way.

The first two volumes were also introduced at functions held in the Governor's Houses at Karachi and Quetta by Mr Kamaluddin Azfar, Governor of Sindh, and Lt. Gen.(Retd) Imranullah Khan, Governor of Balochistan. The significance of these functions lay in the fact that the Quaid-i-Azam had stayed at both these Houses as Pakistan's first Head of State. The emotive ceremonies evoked memories of those days, especially because of the nostalgic accounts given by some members of Quaid's personal staff who spoke on the occasion. As a unique symbolic gesture, the Governor of Balochistan also arranged a special Guard of Honour to recall the memory and recapture the spirit of those historic days when the Quaid himself was there to guide the destiny of the young nation.

The job of an editor is seldom a cakewalk. His vocation demands unwavering concentration and unremitting labour. Despite my continuing ill health, and growing frustration on account of bureaucratic inertia and procrastination, I have managed to keep the Project going. But for the unflagging solicitude of my doctor, Ulrich Sigwart, my family's encouragement and understanding, and my colleagues' unstinted cooperation, this might not have been possible. Editing of the *Quaid-i-Azam Papers* has been a demanding exercise but never irksome or boring. This task, which I have always regarded as a labour of love, has its own

rewards and compensations, albeit not material. I for one cannot think, despite all hurdles, of giving up this project which I have nurtured like a foster-parent; it is another matter that it may give me up.

My experience, especially during the preceding year and a half, has persuaded me that scholarly projects such as this had better not be placed under the control of bureaucrats who, granted their expertise and experience in the domain of general administration, do not, barring a few exceptions, have a scholarly background or training or a penchant or aptitude for academic work. During the last eighteen months or so, the Project has been beset by serious problems as a result of which the work, especially in the computer section, all but ground to a halt for some time. Mention must be made of the sharp fluctuations in electricity voltage which caused damage to our computers and cessation of their operation. Mr Shahid Shakoor, Managing Director, Bizlink Ltd., Rawalpindi, paid a number of visits to assess and repair the damage. He did all this free of charge only out of profound love for the Quaid. The present volume might have come out about a year earlier but for the inadequacy of staff and lack of adequate support from the Ministry of Culture.

It may seem somewhat ironic that while the Ministry of Culture gave less than unstinted support to the Project, others quite readily extended generous assistance. I owe a great debt to Syed Ijlal Haider Zaidi, Special Assistant to the Prime Minister, who has been an unfailing source of help and encouragement. I am most grateful also to Mr Ahmed Sadik, Principal Secretary to the Prime Minister, and Mian Tayyab Hassan, Finance Secretary, as well as Messrs A. Rashid Khan Ghauri and Syed Zafar Naqvi, Joint Secretaries, Ministry of Finance, for their generous and unsparing help to the Project. I also thank Mr Mazharul Haq Siddiqui, Establishment Secretary, for his unwavering support. Mr Shamim Ahmad Khan, formerly Chairman, Corporate Law Authority, readily spared a computer assistant from his own staff to help us out. For his timely help, I am indebted to him. My thanks are due also to Mr Muzaffar Mahmood Qureshi, Secretary, Ministry of Population Welfare, for his constant encouragement. I thank Mr. Irtiza Zaidi, Additional Secretary (Retd), as well for his unremitting concern about my health and the well-being of the project. Last but not least, I am thankful to Mr. A. R. Arif, Accountant-General, Pakistan Revenues, who did not hesitate to lean over backwards to help whenever I sought his assistance.

I should be failing in my duty if I did not pay the tribute due to the late Khalid Shamsul Hasan with whom I had the privilege of retrieving and

compiling the huge collection of *Quaid-i-Azam Papers*, popularly known as *Shamsul Hasan Collection*, bequeathed by his late father Syed Shamsul Hasan, a great devotee of the Quaid, who unfailingly helped steer the All India Muslim League through all crises.

Z. H. ZAIDI

Quaid-i-Azam Papers Project

Cabinet Division

Government of Pakistan

Islamabad

25 July 1996

Introduction

The month of July witnessed exponentially increasing political activity as the transfer of power to the two new Dominions loomed up. The gigantic problems posed by the partitioning of the subcontinent appeared to defy smooth, fair, and peaceful solution. A frail but determined Jinnah was burdened with the gargantuan challenge of securing a just and honourable solution to the problems arising from the division of the subcontinent in accordance with the 3 June Plan¹ as built into the Indian Independence Bill.²

What troubled the Indian leaders was the reluctance of the British Government to take them into confidence while drafting the Bill. Nehru had already demanded that full opportunity be provided to study the draft of the Bill in order to "make our own suggestions".³ Mountbatten supported the demand⁴ but opposition to it from the India and Burma Committee continued.⁵ Even the Secretary of State was disinclined to commit himself.⁶ This hesitation on the part of the British Government to let the Indian leaders see the draft of the Bill that was to determine the very geography and future of the two Dominions seemed rather baffling. Mountbatten, however, was able to persuade⁷ the British Government to let the Indian leaders study the draft Bill.

Even then they could only do so at the Viceroy's House.⁸ Before they could see the Bill, however, V. P. Menon, who was privy to most of the political and constitutional changes in the offing, selected certain matters in the Bill for discussion at the Viceroy's Staff Meeting scheduled for 17 June.⁹ These included, *inter alia*, (a) the future of Berar; (b) renaming of the partitioned provinces of Bengal and the Punjab; (c) provision for a common Governor-General for both the Dominions; and (d) the future of the Andaman and Nicobar Islands. The India and Burma Committee also let the Bill be named¹⁰ the "Indian Independence Bill" rather than the Indian Dominions Bill.

One of the points of contention between the Congress and the Muslim League was whether the new Dominion of India would succeed to the international status of India.¹¹ The Secretary of State conceded that

the adoption of Hindustan as the entity taking the personality of India involves, in relation to property, a result unfair to Pakistan; in fact, on that basis, Hindustan succeeds automatically to all property outside India..., even though such property has been acquired or created out of monies contributed *pro rata* by the Pakistan portions of the former India.¹²

Jinnah was opposed to the Congress demand. However, Liaquat did not consider this matter important enough. Perhaps he felt that the issue being contentious might involve waste of time and declared that

all he was really interested in was "a fair proportionate division of assets and liabilities".¹³ In the event, the Congress view was "allowed to prevail".¹⁴

But these were not the only points of dispute between the Congress and the Muslim League. The League was concerned about how the transfer of assets located in the Dominion of India and allotted to Pakistan was to be enforced once power had been transferred and, therefore, suggested that the Bill include a provision to the effect that the British Government would "assume responsibility for enforcing orders of Governor-General or awards of arbitral tribunals".¹⁵ But the Secretary of State was unable "to meet Muslim League point of view" and informed the Viceroy that "it is impossible for H.M.G. to guarantee the carrying out of the awards or findings of Arbitration Tribunal".¹⁶ Jinnah felt strongly that there should be some "authority or sanction" to "execute and enforce the partition award".¹⁷

He, therefore, urged the Prime Minister as well as the Leader of the Opposition to have provision made in the Bill for the enforcement of the arbitral awards.¹⁸ He explained that an equitable division of the assets of the subcontinent before the appointed day was so gigantic a task as to be "a physical impossibility". "The act of partition", said Jinnah, "is not complete until the award has been executed and physical possession of property taken over by rightful party. Until then assets in question cannot rightfully become property of either Dominion but must remain vested in Crown". Jinnah pointed out that since almost all of the assets were physically located in India, that Dominion could not only deny their use to Pakistan "but could refuse to carry out the award if dissatisfied with it".¹⁹ Therefore, the Muslim League asked that H.M.G. alone "should undertake and guarantee that awards are given effect to..." and that the Bill should provide accordingly.²⁰

But Jinnah's arguments and logical suggestions were brushed aside and were not incorporated in the Bill to the obvious detriment of Pakistan.²¹

As for the Andaman and Nicobar Islands, Jinnah observed that those islands were neither historically nor geographically parts of India, being "British possessions" administered by the Central Government and "reserved" to the Governor-General under the Constitution Act of 1935. He pleaded that they should be awarded to Pakistan not only because the sea was the "only channel of communication" between the two parts of Pakistan but also because they occupied an "important strategic position" on the sea route involved.²² Nevertheless, India was allowed to retain the islands. Jinnah remonstrated to

both the Prime Minister and the Leader of the Opposition urging that "this grave injustice to Pakistan be rectified in Parliament".²³ In the event, no provision was made in the Indian Independence Act as regards the two islands, which *ipso facto* meant their retention in India.

Once the transfer of power had been fixed for 15 August, arrangements had to be made, in precipitate haste, to address and resolve the prodigious problems arising from the partition. Mountbatten himself was sceptical of the wisdom of such short notice for this "tremendous task".²⁴ There were, naturally, a great many loose ends needing to be tied.

The principal problems that arose from the partition related to boundary demarcation; reconstitution and division of the armed forces; transfer of personnel, records, equipment, etc., and appointment of staff; creation of an infrastructure for the new Pakistan government; and trade and economic relations between the successor states. These and a host of other problems were to be tackled by the Partition Council, Steering Committee, Expert Committees and Subcommittees, Armed Forces Reconstitution Committee, Boundary Commissions, and the Arbitral Tribunal, and that too within a matter of a few weeks.

The Partition Council²⁵ chaired by the Viceroy was at the apex of the huge pyramidal mechanism devised for partitioning India. The Council was the final authority for decision-making. Each of the numerous Committees set up had an equal number of Hindu and Muslim members, who were generally at variance. That there was no love lost between them is exemplified by the fact that in July 1947 members of the staff who had opted to serve in Pakistan were turned out of their offices; they were obliged as a result to work "under the shade of trees".²⁶

In the circumstances it was not surprising that members of committees representing Pakistan were allowed to get only a small number of the numerous files required by Pakistan mimeographed on the plea that there was paucity of duplicating apparatus.²⁷ Likewise, Pakistan's request for one of the two mimeographs of the Home Department was turned down on the ground that both were needed in India. Similarly, Pakistan's demand for 40 typewriters, out of the 127 belonging to that Department, was whittled down to a mere 16.²⁸ Pakistan was denied its legitimate share out of some 200,000²⁹ research and reference books belonging to the Agriculture Department and its Research Institutes which had five libraries. Allocation of transmitters of the All India Radio also remained under dispute.³⁰ Out of sheer frustration, the

Muslim members of Food and Agriculture Subcommittee in their minute of dissent wrote:

We have tried to induce our colleagues to give us a share of the office equipment...based on our *minimum* equipments [*sic* for requirements].... We have suggested that we are even willing not to claim those articles which are not entirely indispensable. But we have found to our surprise and our dismay that these arguments have failed to move our colleagues...³¹

Even though three-fourths of the area under jute cultivation was in East Bengal, which produced 80 per cent of the crop, Hindu members opposed the transfer of Indian Central Jute Technical Laboratory to Chittagong.³²

Division of the Security Printing Press at Nasik, the only such press in the whole of India, was not agreed to. Even the request for temporarily printing currency notes for Pakistan was turned down on the spurious plea that adequate capacity for meeting the demand did not exist.³³

These few instances—and there are many—go to show that the division of assets was blatantly unfair to Pakistan, motivated as it obviously was by a desire to hurt the fledgling nation.

* * * *

In terms of the 3 June Plan, the Indian States had the option of joining either of the two Constituent Assemblies or of proclaiming independence. In actual practice, however, both Mountbatten and Congress were coercing the States to accede to India. Mountbatten was keen to bring the States into line before the 15th August. He was "positive that if I can bring in a basket-full [*sic*] of States before the 15th August, Congress will pay whatever price I insist on for the basket".³⁴ According to Mountbatten, as far as Pakistan was concerned, Jinnah contemplated offering each State, separately, a treaty of accession.³⁵

The rulers of States, too, were anxious to determine their future in the new constitutional set-up. Accordingly, five Muslim States, namely Dasuda, Vanod, Jainabad, Bajuna and Radhanpur, given their proximity to Sindh, favoured joining Pakistan and suggested discussions regarding the terms and conditions of accession.³⁶ The Raja of Suket also offered to send his emissary to Jinnah to discuss joining Pakistan.³⁷ Hidayatullah informed Jinnah that Jam Sahib of Las Bela and Nawab of Kharan wished to join Pakistan and had sought interview with Jinnah.³⁸ Like many other States, the ruler of Pathari

(Central India) and the Nawab of Manavadar, who was leading the group of non-salute Hindu States of Kathiawar, were keen on discussing matters concerning their States.³⁹ Even a State like Rampur, which lay in the bosom of India, was being pressured by some elements within the State to be a part of Pakistan:

Historically, politically, culturally and religiously we have nothing in common with Hindu India, and since the Indian Muslims have been recognised as a separate nation by the creation of Pakistan, the natural place for our State is the Pakistan Assembly.⁴⁰

Hyderabad, too, was reluctant to cast its lot with India. Negotiations regarding its future turned out to be frustrating and acrimonious. Mountbatten's role was far from fair and impartial. Nawab Ali Yavar Jung, a member of the Nizam's Executive Council, felt certain that the Viceroy was "under the influence of Congress".⁴¹ He informed Jinnah that the Congress was trying to ensure that Hyderabad entered into a standstill agreement with India alone.⁴² This was not acceptable to the Nizam. Ali Yavar Jung requested Jinnah to oppose this, affirming that "we would of course also refuse to negotiate with Hindustan alone".⁴³ In fact, Nehru and Patel had given Mountbatten "a fairly free hand in negotiating with the States".⁴⁴ Thus emboldened, Mountbatten opened negotiations with the Hyderabad delegation on 11 July, to which Akhtar Husain, Pakistan's representative in the new States Department, was also invited. A number of issues were discussed⁴⁵ but the future of Berar and Hyderabad's relationship with India in the new set-up proved contentious. Though Nizam's sovereignty over Berar was recognised by the Indian Independence Bill, it being physically a part of the Central Provinces, "nothing short of war or voluntary rendition could" restore it to the Nizam.⁴⁶ The Hyderabad delegation's demand for Berar's restoration was contested by V.P. Menon observing that Berar could not be returned without ascertaining the wishes of the people.⁴⁷ A compromise proposal, however, emerged to the effect that a standstill agreement with regard to Berar should be agreed upon for an indefinite period, which could be revoked by either party at 12 months' notice. It was decided to place the proposal before the Nizam.⁴⁸ But no final decision was arrived at regarding standstill agreements between Hyderabad and the two successor governments.⁴⁹ Then came up for discussion the Nizam's request for grant of Dominion status to the State. Although Hyderabad equalled France area-wise, and its population exceeded that of any of the Dominions, the British Government was not agreeable to giving such status to any Indian State.⁵⁰ The only practical course, according

to Mountbatten, was for Hyderabad to enter into a standstill agreement with India on three subjects, i.e. Defence, External Affairs, and Communications. Both Monckton, Constitutional Adviser to the Nizam, and Ali Yavar Jung discountenanced this proposition which they pointed out was contrary to the wishes of the Nizam who wanted to maintain "friendly relations" with Pakistan as well.⁵¹ This was a bitter pill for Menon to swallow; he retorted that "Hyderabad should declare its intention to join the Union of India immediately when the going was good ... Sitting on the fence would not pay Hyderabad".⁵² Mountbatten, too, warned that Hyderabad's adhering to Pakistan would be geographically unreal. The state could face internal disruption. He cautioned that if Hyderabad failed to accede to India, it "would be finished off in a few months or a few years".⁵³ Mountbatten saw fit to predict: "It might even mean the disappearance of the Dynasty and the loss of His Exalted Highness' Throne".⁵⁴ In view of the escalating pressure and the Nizam's predilection for independence or "adherence" to Pakistan, the future of the State hung in the balance providing opportunity to elements within the State for strife and agitation. Apprised by Mountbatten of his negotiations with the Hyderabad delegation, Jinnah declared that

if Congress attempted to exert any pressure on Hyderabad, every Muslim throughout the whole of India, yes, all the hundred million Muslims, would rise as one man to defend the oldest Muslim dynasty in India.⁵⁵

Jinnah's confident response derived, no doubt, from the assurance he had received from the Nizam that he (the Nizam) would not take any final decision without Jinnah's "concurrence and knowledge".⁵⁶

Jinnah, however, had problems dealing with the Khan of Kalat who claimed that the State was neither a part of India nor "an Indian State" but was "an independent sovereign State"⁵⁷ by virtue of its Treaties with the British Government.⁵⁸ In a letter sent in December 1946 to the Political Secretary to the Government of India, the Khan had asked for recognition of Kalat as an independent State; retrocession of the leased areas of Quetta, Nushki, and Nasirabad; and determination of the future of Lasbela, Kharan, and Marri-Bugti areas over which he claimed suzerainty.⁵⁹ Negotiations were held with the Kalat delegation on 19 July by Mountbatten and the Pakistan States Department, the latter conceding Kalat's status as an independent sovereign State.⁶⁰

As for Kashmir, it presents a rather typical example of the Congress leaders' sophistry. They chose to adduce different reasons for accession of different States to India. Whereas Jinnah consistently favoured letting each state freely decide on its future, Congress leaders — Gandhi, Nehru and Patel —, with covert support from Mountbatten, did not

baulk at coaxing or coercing the rulers of States into acceding to India.

Sardar Patel attempted to persuade the Maharaja

that the interest of Kashmir lies in joining the Indian Union and its Constituent Assembly without any delay. Its past history and traditions demand it and all India looks up to you and expects you to take that decision.⁶¹

Patel's attempt to cajole the Maharaja appeared to cut no ice. For the latter remained wary of acceding to either Dominion and seemed to prefer to sit on the fence. He in fact wrote to Mountbatten to urge that Gandhi and Nehru who were keen to visit Kashmir be dissuaded from doing so.⁶²

However, Jinnah adhered to his constitutional and legal stance. On 11 July, after meeting the Jammu and Kashmir Muslim Conference President Ch. Hamidullah, he issued a statement to the press:

The ... question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Hindustan or the Constituent Assembly of Pakistan. I have already made it clear more than once that the Indian States are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent....⁶³

It is clear that the Congress leaders had realized that Kashmir could not join India without being provided some access to that Dominion. They, particularly V. P. Menon, had sold the idea to the British consul who was to affirm, without compunction, on 4 August 1947 that Kashmir "could join either Dominion, provided part of Gurdaspur were put into East Punjab by the Boundary Commission".⁶⁴ In fact, Menon had already urged the exclusion of Gurdaspur from Western zone of Pakistan.⁶⁵ The fate of Kashmir had, thus, been virtually sealed even before Radcliffe made his infamous award.

Jinnah's approach in the matter of Indian States was not predicated on *realpolitik*. It appeared to be out of tune with the contemporary perception that the States had to democratize and modernize their political system and advance in step with the constitutional and political situation that was taking concrete shape. Jinnah in fact did not appear to be *au fait* with the behind-the-scenes activities taking place as a result of the Congress wheeling and dealing which Mountbatten supported on the sly.

* * * *

Afghanistan was never reconciled to the loss of the territory east of the Durand Line which it had ceded to Britain in 1893. Pursuing a policy of irredentism, the Afghan Government staked a claim to such

territory from time to time. During 1944-46 a number of diplomatic exchanges took place between the Afghan and British governments on the "Frontier Question". The latter maintained that the territory in question formed integral part of India and that, therefore, Afghanistan had no legal or valid claim to it. The Afghans, however, did not give up. In view of the new constitutional developments in India and the impending transfer of power, they reiterated their claim to areas which "formerly belonged to Afghanistan and whose inhabitants are of Afghan origin".⁶⁶ In doing so, their avowed objective was "to preserve the security of the Afghan State...against external aggression" and "to remove all possible causes of friction between Afghanistan and the India of the future".⁶⁷

The British Government's statement of 20 February 1947⁶⁸ provided Afghanistan with a chance to reaffirm its claim. The Prime Minister and Foreign Minister of Afghanistan represented to the British Minister at Kabul that those inhabiting the tribal areas had a closer bond with the Afghans than with the Indians and that, therefore, they be given the right to choose between independence and an alliance with Afghanistan.⁶⁹ The Government of India refused to countenance any interference in their tribal areas.⁷⁰ The Afghan Government, however, continued to press their claim even after the 3 June announcement.

The British Minister, Giles Squire, reported that the Afghan Government wished to send a delegation to India to ascertain the "real feeling" of the leaders in New Delhi and Peshawar as to the future of the NWFP.⁷¹ He suggested that the delegation be allowed to come out⁷² and intimated, too, that the Afghan Government sought assurance that the NWFP would not be "coerced"⁷³ into joining either Pakistan or Hindustan. About the same time, Faiz Muhammad Khan, Afghan Ambassador to Turkey, speaking to tribesmen at Jamrud, claimed that the area up to the River Jhelum belonged to Afghanistan.⁷⁴

The Government of India took exception to the speech, which was tantamount to a breach of diplomatic etiquette, and suggested to Listowel that an apology be demanded of the Afghan Government.⁷⁵ Later, the Whitehall advised the Afghan representative in London that it was in the NWFP's interest to stay within Pakistan or Hindustan.⁷⁶ In the meantime, Radio Kabul began to hype the Afghan claim on NWFP and to controvert the legality of the referendum.⁷⁷ Even after the referendum, the Afghan Government pressed for recognition of the rights of "trans-border Afghans" of NWFP and for conferment of Dominion status on the Province.⁷⁸

The Government of India was not averse⁷⁹ to Squire's suggestion

that an informal meeting take place between the Afghan Premier and Jinnah to discuss autonomy for NWFP within Pakistan.⁸⁰ NWFP's thumping verdict in favour of Pakistan⁸¹ in the referendum notwithstanding, the Premier, Dr Khan Sahib, pressed the following demands in discussion with Governor Lockhart:

- (a) complete provincial autonomy;
- (b) the right to admission to the NWFP of contiguous territories inhabited by Pathans (by this he meant areas such as Baluchistan, Tribal Territory and parts of Western Punjab on banks of Indus);
- (c) the Province's right to secede from Pakistan if it so desired.⁸²

These demands were conveyed to Jinnah by Mountbatten to ascertain if he would be willing to discuss them with Ghaffar Khan.⁸³ Jinnah had already had a discussion⁸⁴ with Ghaffar Khan in Delhi about these unreasonable demands and saw little point in meeting him again.⁸⁵ Likewise, he did not see fit to meet the Afghan Premier⁸⁶ since in any case, as Jinnah pointed out, the matter lay within the domain of the Pakistan Constituent Assembly.

* * * *

With his nomination as Governor-General of Pakistan, Jinnah had to address a host of problems, especially those arising from the setting up of a new Government. He was anxious to make Balochistan a full-fledged Governor's province.⁸⁷ This, however, was not possible because of the legal and constitutional difficulties pointed out by the British Government.⁸⁸

Jinnah had also to take steps to appoint governors for various provinces. In consultation with Mountbatten, Jinnah selected Francis Mudie for West Punjab; George Cunningham for NWFP; and Ghulam Hussain Hidayatullah for Sindh.⁸⁹ Jinnah apparently had not had adequate briefing about some of those proposed for these posts. He had suggested H. M. Poulton for Balochistan whom Mountbatten did not consider suitable.⁹⁰ Hugh Weighman, who was then nominated, declined.⁹¹ Jinnah intended to appoint Sardar Abdur Rab Nishtar as the first Governor of Balochistan. Mountbatten, however, suggested that Jinnah wait until he had consulted Corfield, Political Adviser to the Crown Representative, whether a Pathan from NWFP would be acceptable to the Baluch tribes.⁹² In his interview with the Khan of Kalat on 28 July, Mountbatten noted that the Khan

was extremely anxious that Mr. Jinnah should not import a Pathan A.G.G. [Agent to the Governor-General] into Baluchistan. Everybody,

he said, liked Sir Geoffrey Prior ... if he left, he should be replaced by a Britisher if Mr. Jinnah wanted peace.⁹³

In the event, Prior was retained as Agent to the Governor-General. For East Bengal, Killearn was sounded out but he declined because the salary offered was not acceptable to him.⁹⁴

As for the Chiefs of Defence Services, Lt. Gen. Frank Messervy, Commodore J.W. Jefford, and Air Vice Marshal Perry-Keene were selected for the Army, the Navy, and the Air Force, respectively.⁹⁵

* * * *

Radcliffe, in a note to the Viceroy dated 9 July,⁹⁶ suggested that the Bill be amended to provide that the award of a boundary commission shall mean the "recommendations" of its chairman. Jinnah, who had been given a copy of Radcliffe's note, suggested that the word "decisions" be substituted for the word "recommendations". In so doing, Jinnah appeared to repose greater trust in Radcliffe's sense of justice, given the latter's high judicial standing, than in Mountbatten's, who was going to be Governor-General of India. Perhaps, therefore, Jinnah feared that Mountbatten might, when the chips were down, tip the scales in India's favour. The Partition Council endorsed Jinnah's suggestion⁹⁷ and Mountbatten telegraphed Listowel to urge that the Bill be amended accordingly.

The terms of reference of the Boundary Commissions, based on the agreement of Indian leaders, provided for taking into account "other factors" as well in demarcating the boundaries on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. The implications of the term "other factors" were unclear and political parties interpreted it variously. The ambiguity naturally led to considerable confusion. Arthur Henderson, Parliamentary Under-Secretary of State for India, speaking in the debate on the Bill in the House of Commons, observed that "other factors" were intended "to take account of the circumstances of the Sikh community in the Punjab, so that the location of their religious shrines could be taken into account". Jinnah and Liaquat protested⁹⁸ to Mountbatten that Henderson's statement "will give the Sikhs an opportunity to introduce a specific meaning to other factors which the Partition Council was careful to refrain from giving". Listowel, replying to Mountbatten, communicated the relevant passage from Henderson's speech:

The provision ... has been made ... to enable the [Boundary] Commission to have regard to special circumstances of Sikh community in

Punjab where considerations such as location of their religious shrines can reasonably be taken into account it is for Commission itself to decide what are other factors...⁹⁹

* * * *

Mindful of the backwardness of Indian Muslims, especially in economic and industrial development, Jinnah had, as early as December 1943, appointed a Planning Committee of Muslim economists and business magnates. In the wake of the 3 June Plan, this matter assumed greater imperativeness and urgency.

Muslim businessmen and intelligentsia reacted sharply to the orchestrated Hindu propaganda that the areas to be included in Pakistan being industrially and economically backward, Pakistan would not be a viable State.¹⁰⁰ Some of them formulated and sent schemes to Jinnah designed to make Pakistan economically strong. Muslim entrepreneurs offered to establish an automotive plant;¹⁰¹ a plant to manufacture electronic goods; a cement factory;¹⁰² a pharmaceutical company.¹⁰³ The Bohra leader, Syedna Tahir Saifuddin, informed Jinnah that he had had a textile mill set up at Karachi and offered to send experienced agriculturists to settle in Sindh.¹⁰⁴ A note on the development of trade and industry in Pakistan was submitted to Jinnah emphasizing that the strength of a nation "depends on its position in business, trade, and commerce". The need for setting up some jute mills was also underscored. "It is no use living in palaces having no means to feed ourselves and as such we must concentrate... on developing our industrial houses rather than erecting magnificent edifices for our Secretariat buildings, Assembly Houses and other Government Houses", wrote a correspondent.¹⁰⁵ Suggestions were also made for setting up technical and vocational schools and polytechnics.¹⁰⁶ A five - year plan dealing with food, textile, building materials, transport, communications, electricity, pharmaceuticals, paper, leather, etc., and suggesting a National Planning Committee for dealing with defence and other industries was also submitted.¹⁰⁷

Mirza Ahmad Ispahani, an industrial magnate, laid stress on building the economic fabric of the new nation and thereby breaking the "baniya" stranglehold. He urged the opening of branches of the Reserve Bank at Dacca and Chittagong, separation of banking and currency, and setting up of a Mint and a Security Printing Press. He suggested that a Steel Board be set up and steel imported from abroad.

As Pakistan Railways had a slender coal reserve, he recommended negotiations with South Africa for import of coal in exchange for jute.¹⁰⁸

* * * *

Following his spectacular success in achieving Pakistan, Jinnah came to be regarded as a saviour not only by the Muslims of the subcontinent but by some minority groups as well. The French Indians appealed to him for help with their demand for a separate electorate and for representation in the French Parliament.¹⁰⁹

The partition of India had engendered grave fears in the minds of Indian Muslims as to their future. The President, Simla Muslim League, sounded dysphoric over the likely sombre plight of the Indian Muslims after the partition. They looked certain to flounder in the Slough of Despond as it were, and dreaded the vengefulness of the rabid Hindu communalists raring to hound them for their support to the demand for Pakistan. He feared that Muslims in India "will be left in a hopeless minority.... that they would be swept out of their very existence by the overwhelmingly large combine of Hindus and Sikhs...". He wanted their fears allayed by an immediate announcement to the effect that Muslims in India should not migrate to Pakistan and keep their numerical strength intact and that arrangement would be made with India for safeguarding all legitimate rights of the Muslim minority.¹¹⁰ There was in fact little that Jinnah could do now. In an interview with a Muslim delegation from Coorg, he counselled the Indian Muslims to adapt themselves to the changed situation without sacrificing their identity or individuality; work for their progress and prosperity through educational and economic advancement; and be loyal to their country.¹¹¹

* * * *

Jinnah had performed a political miracle, achieved the impossible, carved out a new nation. Having been nominated as the first Governor-General of Pakistan, he received an avalanche of messages felicitating him. His brother Ahmedali recalled an astrologer's prediction, of which Jinnah himself had told his father, that he would one day become "the uncrowned king of India".¹¹² Nawab of Bhopal wrote:

... your appointment as Governor-General means nothing. You are something far bigger and greater to us — your devoted and loyal admirers — than a Governor-General appointed by a foreign King.¹¹³

Rana Udai Bhan, ruler of Dholpur, reminded him of their shared struggle against an all-India Federation at the Round Table Conferences and of their travel together with "your little daughter" back to India. Remembering those "happy associations", Rana congratulated Jinnah on his becoming "the first Indian Governor-General".¹¹⁴ M.S. Aney, Member, Indian Constituent Assembly, called his appointment "a fitting culmination of a career of selfless service".¹¹⁵

The Aga Khan telegraphed to call the event "greatest Muslim triumph since fall [of] Osmaniya Caliphat[e]".¹¹⁶ Mrs Rallia Ram, who adored Jinnah, observed that he had

won for the Muslims a greater victory in five years' time on account of your superior statesmanship and political strategy than what the Hindu Congress did in sixty years' struggle of hardship and suffering.¹¹⁷

These glowing compliments reflect the high esteem in which Jinnah was held not only by his followers and devotees but also by a cross-section of eminent politicians, statesmen, and others.

* * * *

Mountbatten claimed that he had had Jinnah agree to the Navy flying the white ensign and the Governor-General flying the Dominion Governor-General's Flag with the King's crest and the name of the Dominion. When, according to Mountbatten, he showed Jinnah the design of Governor-General's flag, Jinnah said, "he intended to design his own flag with his own monogram on it, and... that he could not allow his ships to fly the white ensign".¹¹⁸ Mountbatten claimed:

He was only saved from being struck by the arrival of the other members of the Partition Council at this moment. However, I sent Ismay round to beat him up....¹¹⁹

Jinnah, Mountbatten averred, piped down and hastened to clarify to Ismay that Mountbatten

must have misunderstood him as of course he was keen that the Pakistan Navy should fly the white ensign, and... that he would reconsider whether he would have the King's crest or his own monogram!¹²⁰

Scholars and historians know Jinnah too well by now to give credence to Mountbatten's story which is evidently apocryphal and has to be dismissed as pure bluster and braggadocio.

Z. H. ZAIDI

Notes

- ¹Statement by British Government on Indian Policy, 3 June 1947, No.1, Vol. II, 1-6.
- ²Erskine Crum to Jinnah, 1 July 1947, Enclosure 1 to No.1, 2-25.
- ³Mountbatten to Listowel, Telegram, 9 June 1947, No.116, *TP*, XI, 220.
- ⁴Mountbatten to Listowel, Telegram, 9 June 1947, No.115, *ibid.*, 219.
- ⁵Memorandum by Listowel, 13 June 1947, No. 193, *ibid.*, 377-8. Also see India and Burma Committee 31st Meeting, 17 June 1947, No. 244, minute 1, *ibid.*, 475-6.
- ⁶Listowel to Mountbatten, Telegram, 18 June 1947, No. 257, para 2, *ibid.*, 500-1.
- ⁷Mountbatten to Listowel, 17 June 1947, No. 248, *ibid.*, 486.
- ⁸Viceroy's Forty-Sixth Staff Meeting, 23 June 1947, No. 308, *ibid.*, item 7, 575.
- ⁹Viceroy's Forty-Fifth Staff Meeting, 17 June 1947, No. 239, *ibid.*, 463-74.
- ¹⁰India and Burma Committee 31st Meeting, 17 June 1947, No. 244, minute 1 (q), *ibid.*, 478.
- ¹¹Mountbatten to Listowel, Telegram, 2 July 1947, Annex II to No. 1, para v, 35. Also see Annex VI to No. 1, para (a), 43.
- ¹²India and Burma Committee Memorandum, 13 June 1947, No. 188, para 8, *TP*, XI, 347-8.
- ¹³Mountbatten to Listowel, Telegram, 14 June 1947, No. 202, para 3, *ibid.*, 394.
- ¹⁴Listowel to Mountbatten, Telegram, 19 June 1947, No. 270, para 3, *ibid.*, 523. Also see Mountbatten to Listowel, Telegrams, 9 June 1947, Nos. 115-6, *ibid.*, 219-20.
- ¹⁵Mountbatten to Listowel, Telegram, 2 July 1947, Annex I to No. 1, para 3, 33.
- ¹⁶Listowel to Mountbatten, Telegram, 5 July 1947, Appendix I.8, 725-6.
- ¹⁷Jinnah to Mountbatten, 5 July 1947, No. 36, 111.
- ¹⁸Jinnah to Mountbatten, 7 July 1947, Enclosure to No. 52, 139-40.
- ¹⁹Jinnah to Mountbatten, 7 July 1947, *ibid.*, 139.
- ²⁰Jinnah to Mountbatten, 7 July 1947, *ibid.*, 140.
- ²¹Jinnah to Mountbatten, 5 July 1947, No. 36, 111.
- ²²Jinnah to Mountbatten, 5 July 1947, Enclosure to No. 36, 112.
- ²³Jinnah to Mountbatten, 5 July 1947, *ibid.*
- ²⁴Mountbatten to Gandhi, 12 June 1947, No.155, *TP*, XI, 290.
- ²⁵Viceroy's Seventeenth Miscellaneous Meeting, 7 June 1947, Enclosure to No. 53, para iv, Vol. II, 114.
- ²⁶Mountbatten to Listowel, Viceroy's Personal Report No. 14, 25 July 1947, Appendix VI.4, para 27, 959.
- ²⁷H. M. Patel to Jinnah, 18 July 1947, Enclosure 1 to No. 192, note 2 (a), 484.
- ²⁸H. M. Patel to Jinnah, 18 July 1947, *ibid.*, note 2 (b), 484.
- ²⁹Minute by Aziz Ahmed and M. M. Junaid, 19 July 1947, F. 730/36-42, *QAP*.
- ³⁰H. M. Patel to Jinnah, 18 July 1947, Enclosure 2 to No.192, note 2 (c), 486.
- ³¹H.M. Patel to Jinnah, 18 July 1947, Annexure I to Enclosure 3 to No. 192, note 1, 488-9.
- ³²H.M. Patel to Jinnah, 18 July 1947, Annexure II to Enclosure 4 to No. 192, sub-para 1(n), 497.
- ³³H. M. Patel to Jinnah, 19 July 1947, Enclosure 6 to No. 199, 519, and Annexure I to *ibid.*, item III, 520-1.
- ³⁴Mountbatten to Listowel, Viceroy's Personal Report No. 14, 25 July 1947, Appendix VI.4, para 25, 958.
- ³⁵Mountbatten to Listowel, Viceroy's Personal Report No. 14, 25 July 1947, *ibid.*, para 26, 958.
- ³⁶Sadula Khan to Yusuf Haroon, 7 July 1947, No. 61, 153-4.
- ³⁷Raja of Suket to Jinnah, 12 July 1947, No. 128, 342.
- ³⁸G. H. Hidayatullah to Jinnah, 16 July 1947, No. 167, 423.
- ³⁹G. Moinuddin Khan to Jinnah, 13 July 1947, No. 141, 352.
- ⁴⁰Mahmud Hasan Khan to Nawab of Rampur, 16 July 1947, No. 171, para 4, 432.
- ⁴¹Ali Yavar Jung to Jinnah, 4 July 1947, No. 22, para 2, 86.
- ⁴²Ali Yavar Jung to Jinnah, 4 July 1947, *ibid.*, 86-7.
- ⁴³Ali Yavar Jung to Jinnah, 4 July 1947, *ibid.*, para 3, 87.
- ⁴⁴Mountbatten to Listowel, 11 July 1947, Appendix VI.2, para 26, 946.
- ⁴⁵Nizam of Hyderabad to Jinnah, 17 July 1947, Annexure I to Enclosure to No. 178, para 7, 444-7.
- ⁴⁶Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, 444.

- ⁴⁷Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, 444-7.
- ⁴⁸Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*
- ⁴⁹Nizam of Hyderabad to Jinnah, 17 July 1947, Annexure I to Enclosure to No. 178, para 8, 447-8.
- ⁵⁰Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, para 9, 448-52.
- ⁵¹Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, para 9, 449.
- ⁵²Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, para 9, 450.
- ⁵³Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, para 9, 451.
- ⁵⁴Nizam of Hyderabad to Jinnah, 17 July 1947, *ibid.*, para 9, 451.
- ⁵⁵Record of Interview between Mountbatten and Jinnah, 12 July 1947, Appendix V.2, para 1, 925-6.
- ⁵⁶Nizam of Hyderabad to Jinnah, 15 July 1947, No. 162, 415.
- ⁵⁷Minutes of Viceroy's Twentieth Miscellaneous Meeting, 19 July 1947, Appendix VII.13, 983.
- ⁵⁸Minutes of Viceroy's Twentieth Miscellaneous Meeting, 19 July 1947, *ibid.*, 983.
- ⁵⁹Muhammad Aslam to Lancelot Griffin, 26 December 1946, Enclosure 1 to No. 155, Vol. I, Part I, 287-92.
- ⁶⁰Minutes of Viceroy's Twentieth Miscellaneous Meeting, 19 July 1947, Appendix VII.13, 982-6. Also see Viceroy's Personal Report No. 14, 25 July 1947, Appendix VI. 4, para 15, 955.
- ⁶¹Vallabhbhai Patel to Maharaja of Kashmir, 3 July 1947, Appendix VII.2, 964-5.
- ⁶²Maharaja of Kashmir to Mountbatten, 8 July 1947, Appendix VII.4, 968-70.
- ⁶³Statement by Jinnah, 11 July 1947, No. 108, 298-9.
- ⁶⁴Record of Interview between Mountbatten and the Nawab of Bhopal and the Maharaja of Indore, 4 August 1947, No. 335, *TP*, XII, 509.
- ⁶⁵V. P. Menon to George Abell, Note on Demarcation of "Pakistan" Areas, n. d., Enclosure to Appendix XII.37, Vol. I, Part II, 542-5. Also see V. P. Menon to C. P. Scott, 17 July 1947, Enclosure to Appendix VII. 10, 979.
- ⁶⁶Note by Govt. of India, External Affairs and Commonwealth Relations Department (hereafter referred to as EACRD), 28 March 1946, No. 15, para 1, *TP*, VII, 34.
- ⁶⁷Note by Govt. of India, EACRD, 28 March 1946, No. 15, para 2, *ibid.*, 34.
- ⁶⁸Statement by British Government on Indian Policy, 20 February 1947, No. 1, Vol. I, Part I, 1-3.
- ⁶⁹Giles Squire to Hugh Weightman, 5 April 1947, Appendix IV. 1, 856-7.
- ⁷⁰Gerald Crichton to Giles Squire, 24 April 1947, Appendix IV. 2, 858-9.
- ⁷¹Giles Squire to Govt. of India, EACRD, Telegram, 23 June 1947, No. 221, Vol. II, 431-2.
- ⁷²Giles Squire to Govt. of India, EACRD, Telegram, 27 June 1947, No. 288, *ibid.*, 554.
- ⁷³Giles Squire to Listowel, Telegram, 11 June 1947, Appendix IV.3, 860.
- ⁷⁴Govt. of NWFP to Govt. of India, EACRD, Telegram, 5 July 1947, No. 41, 115.
- ⁷⁵Govt. of India, EACRD, to Listowel, Telegram, 7 July 1947, No. 50, 137.
- ⁷⁶Listowel to Giles Squire, Telegram, 7 July 1947, No. 60, 150-1.
- ⁷⁷Giles Squire to Govt. of India, EACRD, Telegram, 8 July 1947, No. 75, 177.
- ⁷⁸Ali Muhammad Khan to Giles Squire, 10 July 1947, No. 94, 263.
- ⁷⁹Govt. of India, EACRD, to Giles Squire, Telegram, 19 July 1947, Appendix VI.26, 907.
- ⁸⁰Giles Squire to Govt. of India, EACRD, Telegram, 16 July 1947, Appendix IV. 24, 905-6.
- ⁸¹Booth to Abell, 20 July 1947, Annex III to No. 79, 199-200. Also see Annex II to No. 79, para 3, 198.
- ⁸²Lockhart to Mountbatten, 16 July 1947, Enclosure to Appendix IV. 23, 902-3.
- ⁸³Eric Mieville to Jinnah, 20 July 1947, No. 202, 545-6.
- ⁸⁴Abdul Ghaffar Khan to Jinnah, 19 June 1947, No. 163, Vol. II, 338-9.
- ⁸⁵Jinnah to Eric Mieville, 25 July 1947, No. 239, 698.
- ⁸⁶Listowel to Mountbatten, 21 July 1947, Telegram, Appendix IV. 27, note 7, 910.
- ⁸⁷Mountbatten to Listowel, 17 July 1947, Telegram, No. 158, para 3, *TP*, XII, 220.
- ⁸⁸Mountbatten to Jinnah, 24 July 1947, No. 231, para 4, 673.
- ⁸⁹Jinnah to Mountbatten, 25 July 1947, No. 237, 693-4.
- ⁹⁰Mountbatten to Jinnah, 7 July 1947, No. 57, 142.
- ⁹¹Mountbatten to Jinnah, 24 July 1947, No. 231, para 4, 673. Also see Weightman to Listowel, 25 July 1947, Appendix VII.18, 991-2.
- ⁹²Record of Interview between Mountbatten and Jinnah, 12 July 1947, Appendix V.2, 926.

- ⁹³Record of Interview between Mountbatten and Khan of Kalat, 28 July 1947, No. 258, *TP*, XII, 378-9.
- ⁹⁴Jinnah to Killearn, 26 July 1947, F. 2/255, QAP.
- ⁹⁵Mountbatten to Jinnah, 23 July 1947, No. 224, 647.
- ⁹⁶Note by Cyril Radcliffe, 9 July 1947, No. 86, 225.
- ⁹⁷H. M. Patel to Jinnah, 11 July 1947, Enclosure to No. 117, 308-11.
- ⁹⁸Viceroy to Secretary of State, Telegram, 15 July 1947, No. 156, 405.
- ⁹⁹Mountbatten to Jinnah, 18 July 1947, Telegram, Enclosure to No. 191, 482.
- ¹⁰⁰Mrs Rallia Ram to Jinnah, 7 June 1947, No. 49, Vol. II, 105-9.
- ¹⁰¹V.K. Hamza to Jinnah, 1 July 1947, No. 2, 45-7.
- ¹⁰²M. A. Rahim to G.H. Hidayatullah, 1 July 1947, No. 8, 69-70, and M.I. Ansari to Jinnah, 2 July 1947, No. 11, 73-4.
- ¹⁰³A.A. Shah to Jinnah, 11 July 1947, No. 118, 314.
- ¹⁰⁴Syedna Taher Saifuddin to Jinnah, 5 July 1947, No. 44, 121-2.
- ¹⁰⁵K.I. Huq to Jinnah, 11 July 1947, Enclosure to No. 105, 287.
- ¹⁰⁶Mumtazuddin and A.A. Abbasi to Jinnah, 10 July 1947, No. 97, 269-74.
- ¹⁰⁷Note by M.A. Azam, 23 July 1947, No. 226, 648-55.
- ¹⁰⁸M.A. Ispahani to Jinnah, 14 July 1947, No. 153A, 396-400.
- ¹⁰⁹K.E.M.M.I. Marecar to Jinnah, 11 July 1947, No. 111, 301-2.
- ¹¹⁰M. Zakaullah to Jinnah, 10 July 1947, No. 100, 279.
- ¹¹¹Jinnah's Interview with the Leader of Coorg State Muslim Delegation, 25 July 1947, No. 238, 694-97.
- ¹¹²Ahmedali Jinnah to Jinnah, 11 July 1947, No. 107, 298.
- ¹¹³Nawab of Bhopal to Jinnah, 18 July 1947, No. 185, 472.
- ¹¹⁴Rana Udai Bhan to Jinnah, 13 July 1947, No. 138, 351.
- ¹¹⁵M.S. Aney to Jinnah, 13 July 1947, No. 137, 349.
- ¹¹⁶Aga Khan to Jinnah, Telegram, 13 July 1947, No. 140, 352.
- ¹¹⁷Mrs Rallia Ram to Jinnah, 12 July 1947, No. 126, 340.
- ¹¹⁸Mountbatten to Listowel, 25 July 1947, Appendix VI.4, para 28, 959.
- ¹¹⁹Mountbatten to Listowel, 25 July 1947, *ibid*.
- ¹²⁰Mountbatten to Listowel, 25 July 1947, *ibid*.

Abbreviations

AA	Anti-aircraft
ADC	Aide-de-camp
AFRC	Armed Forces Reconstitution Committee
AG	Auditor-General; Accountant-General
AIR	All India Radio
AMIE	Associate Member of the Institution of Engineers
AMSA	Association of Muslim Students in America
AO C-in-C	Air Officer Commanding-in-Chief
API	Associated Press of India
ARP	Air Raid Precautions
AT	Animal Transport
BBC	British Broadcasting Corporation
CAO	Chief Administrative Officer
CBE	Commander of the Order of the British Empire
CBR	Central Board of Revenue
C-in-C	Commander-in-Chief
CGS	Chief of the General Staff
CID	Criminal Investigation Department
CIE	Companion of the Order of the Indian Empire
CIO	Central Intelligence Officer
CMG	Companion of the Order of St Michael and St George
COS	Chief of Staff
CP	Central Provinces
CPC	Civil Procedure Code
CPWD	Central Public Works Department
CSI	Companion of the Order of the Star of India
CTS	Commercial and Transportation Superintendent
DACMA	Deputy Assistant Controller of Military Accounts
DAD	Deputy Assistant Director
DADG	Deputy Assistant Director-General
DC	Deputy Commissioner
DCRP	Deputy Controller of the Railway Priorities
DFA	Deputy Financial Adviser
DFC	Distinguished Flying Cross
DFCMA	Deputy Field Controller of Military Accounts
DGIMS	Director-General Indian Medical Service
DIB	Director, Intelligence Bureau
DNSO	Deputy National Savings Officer
DO	Demi-official
DS	Deputy Secretary
DSO	Distinguished Service Order
DSP	Deputy Superintendent of Police

EBR	East Bengal Railway
EIR	East Indian Railway
EPT	Excess Profits Tax
FAC	Financial Adviser Communications
FPSC	Federal Public Service Commission
GHQ	General Headquarters
GIP	Great Indian Peninsular Railway
GOC	General Officer Commanding
GPO	General Post Office
HE	His Excellency
HEH	His Exalted Highness
HH	His Highness
HMG	His Majesty's Government
HQ	Headquarters
HRH	His Royal Highness
IAMC	Indian Army Medical Corps
IAOC	Indian Army Ordnance Corps
I & B	Information & Broadcasting
ICS	Indian Civil Service
IEME	Indian Electrical & Mechanical Engineers
IMA	Indian Military Academy
IMD	Indian Medical Department
IMS	Indian Medical Service
IP	Indian Police
IPC	Indian Penal Code
IPS	India Political Service
IOR	Indian Office Records
ISE	Indian Service of Engineers
IST	Indian Standard Time
J & K	Jammu and Kashmir
JP	Jinnah Papers
KBE	Knight Commander of the Order of the British Empire
KCB	Knight Commander of the Order of the Bath
KCMG	Knight Commander of the Order of St Michael and St George
KG	Knight of the Order of the Garter
LLB	Bachelor of Laws
LLM	Master of Laws
MAO	Mohammadan Anglo-Oriental (College)
MBBS	Bachelor of Medicine and Bachelor of Surgery
MFJP	Miss Fatima Jinnah Papers
ML	Muslim League

MNG	Muslim National Guards
MRSGB	Member of Royal Society of Great Britain
MT	Mechanical Transport
NWR	North Western Railways
OBE	Officer of the Order of British Empire
OC	Officer Commanding
OS	Original Side
OSD	Officer on Special Duty
OTP	One Time Pad (cypher system)
PA	Personal Assistant; Political Adviser
PCS	Provincial Civil Service
PES	Provincial Educational Service
PNSO	Provincial National Savings Officer
PO	Petty Officer; Post Office
PS	Postscript
PSV	Private Secretary to the Viceroy
PWD	Public Works Department
QAP	Quaid-i-Azam Papers
QMG	Quartermaster General
RCAO	Railway Clearing Accounts Officer
RD	Regional Director
RFA	Royal Field Artillery
RI	Rex et Imperator (King and Emperor) Regina et Imperatrix (Queen and Empress)
RIAF	Royal Indian Air Force
RIASC	Royal Indian Army Service Corps
RIEME	Royal Indian Electrical and Mechanical Engineers
RMS	Railway Mail Service
RPAF	Royal Pakistan Air Force
RPN	Royal Pakistan Navy
RPRO	Regional Public Relations Office
RSS	Rashtrya Sevak Sangh
SAS	Subordinate Accounts Service
SI	Sitara-i-Imtiaz
SGG	Secretary to the Governor-General
SS	Secretary of State
TP	Transfer of Power
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UP	United Provinces (now Uttar Pardesh)
UTC	University Training Corps
VCO	Viceroy's Commissioned Officer

All India Muslim League Working Committee
1947

President

Mohammad Ali Jinnah

Secretary

Liaquat Ali Khan

Treasurer

Muhammad Amir Ahmad Khan
(Raja of Mahmudabad)

Assam

Abdul Matin Chaudhury

Baluchistan

Qazi Mohammed Isa

Bengal

M.A.H. Ispahani
Khwaja Nazimuddin
Mohamed Akram Khan
Huseyn Shaheed Suhrawardy

Bihar

Syed Hossain Imam
S. M. Lateef-ur-Rahman

Bombay

I.I. Chundrigar

Central Provinces and Berar

Syed Abdur Rauf Shah

Delhi

Madras

Haji Abdul Sattar H. Essak Sait

North-West Frontier Province

Sardar Abdur Rab Nishtar
Sardar Muhammad Aurangzeb Khan

Punjab

Mian Bashir Ahmed

Sheikh Karamat Ali

Iftikhar Husain Khan Mamdot

Sind

Mohammad Ayub Khuhro

Ghulam Hussain Hidayatullah

United Provinces

Nawab Mohammad Ismail Khan

Chaudhry Khaliq-uz-Zaman

¹Begum Maulana Muhammad Ali died on 28 March 1947. The name of her successor, if any, is not available in QAP.

Provisional Government of Pakistan
19 July 1947 to 14 August 1947

Liaquat Ali Khan	Finance; External Affairs and Commonwealth Relations; and Defence
I. I. Chundrigar	Commerce; Industries and Supplies; and Works, Mines, and Power
Abdur Rab Nishtar	Communications; Railways; Transport; Information and Broadcasting; and States
Ghazanfar Ali Khan	Health; Food and Agriculture; and Home
Jogendra Nath Mandal	Legislative; Education; and Labour

Chronology of Important Events

July 1947

- 1-3 Jinnah and other party leaders study draft of Indian Independence Bill at Viceroy's House; ML and Congress hold divergent views on a number of points.
- 2 Jinnah informs Mountbatten that he had been urged by "intimate friends and colleagues" to become Governor-General of Pakistan; Mountbatten in turn intimates Attlee.
- 3 HMG do not approve of reconstitution of the Interim Government as recommended by Mountbatten in view of Jinnah's legal objection.

Vallabhbhai Patel advises Maharaja of Kashmir that "the interest of Kashmir lies in joining the Indian Union and and its Constituent Assembly without any delay".

- 4 Indian Independence Bill is introduced in Parliament; the Bill meets only some of Jinnah's objections.
AIML formally advise the King to designate Jinnah as Governor-General of Pakistan; Mountbatten finds himself "in a complete quandary" over this and sends Ismay to London to seek guidance from HMG.
Mountbatten advises Jinnah of the Sikh concern for transfer of population in the Punjab as well as for weightage for the Sikh community in the Pakistan Legislature and a seat in the Pakistan Government.
Radcliffe is appointed Chairman of Punjab and Bengal Boundary Commissions.
Ismay suggests names for constitutional lawyer and draftman required by Pakistan.
- 5 HMG do not provide for inclusion of Andaman and Nicobar Islands in Pakistan in the Indian Independence Bill as introduced in Parliament; Jinnah protests and urges both Prime Minister and Leader of the Opposition to undo the wrong.
HMG express inability to "guarantee the carrying out of the awards or findings of Arbitration Tribunal".
Government of India set up States Department to conduct their relations with the States.

- 7 Nawab of Bhopal advises Mountbatten against accepting Governor-Generalship of one Dominion only.
Jinnah urges British Government to assume responsibility for enforcement of awards of the Boundary Commissions and the Arbitral Tribunal; also exhorts Muslims to work hard and build up Pakistan as the greatest Muslim State in the world.
- 8 Attlee advises Mountbatten to stay on as Governor-General of India during the transitional period; Jinnah affirms that the Pakistan Government would consider itself successor to all treaty rights and obligations; also agrees to Mountbatten acting as impartial Chairman of Joint Defence Council if he remained Governor-General of India.
- 9 Mountbatten requests Jinnah to dissuade Bihar Muslim League from demanding an enquiry into Bihar riots.
Radcliffe suggests amendment to the Indian Independence Bill to the effect that Boundary Commissions' awards shall be the recommendations of the Chairman of those Commissions.
- 10 Patel urges Mountbatten that Muslim employees of the Government of India who had opted for Pakistan be got rid of as soon as possible.
Second reading of the Indian Independence Bill.
- 11 Jinnah sees no justification for continued detention of Jammu and Kashmir Muslim Conference leaders; urges the State authorities not to ignore the susceptibilities and sentiments of the Muslim population; reiterates that States are free to join one or the other Constituent Assembly or to opt for independence.
- 12 Mountbatten discusses reconstitution of the Interim Government with Jinnah.
- 13 Sylhet Referendum results in favour of joining East Bengal.
Jinnah makes a policy statement about friendly relations with Hindustan assuring minorities in Pakistan of protection of their religious faith, life, property, and culture.

- 15 Jinnah and Liaquat remonstrate over Henderson's reported statement that the phrase "other factors" occurring in the terms of reference of the Boundary Commission was intended to take into consideration the location of Sikh shrines in the Punjab.
- 16 Third reading of the Indian Independence Bill.
- 17 Nizam informs Jinnah about the state of negotiations between the Viceroy and the Hyderabad delegation.
- 18 Indian Independence Bill receives Royal Assent and becomes law; Mountbatten clarifies to Jinnah that it is for the Boundary Commissions to decide what "other factors" are and how much importance should be attached to all or any of them.
Convention of All Jammu and Kashmir Muslim Conference resolves that the State should accede to Pakistan and requests Maharaja to so accede in the interest of the people.
Giani Kartar Singh warns of "violent action" if Boundary Commission's award failed to satisfy the Sikhs and threatens sabotage of communications, canal system, headworks, etc.
- 19 Governor-General issues the Executive Council (Transitional Provisions) Order, 1947, for formation of provisional Governments of India and Pakistan.
Formation of provisional Governments for Pakistan and India announced.
- 20 NWFP Referendum results in favour of joining Pakistan; Frontier Congress stipulate conditions for accepting Pakistan, namely complete autonomy and right of secession for NWFP, etc.; Frontier Governor wants to know if Jinnah was prepared to meet Ghaffar Khan on that basis.
- 21 Jinnah advises Nizam to make no final decision in the negotiations with Government of India without his knowledge and consent.
- 22 Jinnah and Liaquat on behalf of the new Dominion of Pakistan, Vallabhbhai Patel and Rajendra Prasad on behalf

of the Dominion of India, and Baldev Singh on behalf of the Sikhs, pledge themselves to accept the awards of Boundary Commissions whatever they may be, and approve the setting up of a Boundary Force from 1 August for peacekeeping in the Punjab.

- 24 Jinnah refuses to have a small Union Jack in the upper canton of Pakistan flag, as suggested by Mountbatten, to ward off revival of old hostility between the Crescent and the Cross by having both of them on the same flag.

- 25 Jinnah expresses inability to meet Abdul Ghaffar Khan to discuss Frontier Congress' terms for acceptance of Pakistan, for the reason that the matter lay within the domain of Pakistan Constituent Assembly; approves appointments of Commanders-in-Chief for Pakistan Defence Services; promises careful consideration of suggestion for introducing the *shariah* in Pakistan and for setting up the Constituent Assembly under the guidance of '*ulama*.

Addressing Rulers and representatives of Indian States, Mountbatten explains that the States would stand released from obligations to the Crown from 15 August, and therefore should accede to one or the other dominion in respect of three subjects, i.e. defence, external affairs, and communications, taking into account geographical compulsions.

Reconstitution of Executive Council fails to work satisfactorily as Secretaries of Pakistan Departments have been turned out of their offices compelling them to move tables and chairs out and work under shade of trees.

Jinnah meets Muslim deputation from Coorg and lays down code of conduct for Indian Muslims after the partition.

Jinnah approves appointment of Laurence Grafftey-Smith as British High Commissioner for Pakistan.

No.	Description	Date July 1947	Summary	Page
1	Erskine Crum to Jinnah Note & Enclosures	1	1 Informs about arrangements for study of draft of the Indian Independence Bill providing for the setting up of two new independent Dominions of India and Pakistan and related matters.	1
2	V.K. Hamza to Jinnah Letter	1	1 Offers to set up an automotive industry in Pakistan.	45
3	Ahmed Jaffer to Jinnah Letter	1	1 Requests him to preside at the meeting fixed for 13 July to elect the Trustees and approve the trust deed and scheme for utilizing the amount of Rs. 2,50,000 sanctioned by Government as unclaimed interest.	47
4	Jinnah to Ahmad Ispahani Letter	1	1 Intimates having advised Habib Bank to pay him Rs. 1,00,000 as Chairman of Assam Referendum Committee; asks to be kept informed of the progress.	48
5	Jinnah to Mountbatten Letter	1	1 Acknowledges No. 326, Vol. II; suggests that appointments of Governors of the Pakistan provinces should be made on the advice of the Government of Pakistan.	48
6	H.M. Patel to Jinnah Circular & Enclosure	1	1 Encloses proceedings of the Partition Council's meeting held on 27 June to discuss reconstitution of the Central and Bengal Governments; chairmanship of the Boundary Commissions; procedure for the appointment of Governors; composition of the Arbitral Tribunal; study of the draft India Bill by Indian leaders; and the allocation of a printing press to Pakistan.	49
7	H. M. Patel to Jinnah Circular & Enclosure	1	1 Circulates to the Members of the Partition Council the proceedings of the meeting of the Council held on 30 June regarding the reconstitution and division of Armed Forces and the setting up of Joint Defence Council; withdrawal of British troops; operational intelligence; boundary areas; draft India Bill; publicity; joint use of certain establishments; and maintenance of troops in the North-West Frontier and the Tribal Areas.	54
8	M.A. Rahim to G.H. Hidayatullah (Copy to Jinnah) Letter & Enclosure	1	1 Proposes the setting up of a cement factory at Karachi.	69
9	Mrs Rallia Ram to Jinnah Letter	1	1 Invites attention to a <i>Tribune</i> editorial containing scathing criticism of the "grouping system" envisaged in the Cabinet Mission Plan; hails his statement on abandonment of the interim scheme.	71

10	G. Squire, Kabul, to Foreign, New Delhi Telegram	1	Reports that Sardar Hashim was bitterly critical of the British Government's unilateral decision about the NWFP in the 3 June Plan and thought that continued neglect of the Afghan interests would eventually be disastrous, besides exposing India to Russian aggression; suggests that American cooperation be enlisted, if possible.	72
11	M.I. Ansari to Jinnah Letter	2	Requests help to set up a radio and electrical manufacturing industry in Pakistan.	73
12	Ghulam Mohammed to Jinnah Letter & Enclosure	2	Suggests certain names for appointment as Governors and Ambassadors.	74
13	Mountbatten to Jinnah Letter	2	Says he was surprised at the delay on Jinnah's part in tendering advice to the King about the Governor-General of Pakistan; asks to see him later that day.	75
14	M.A. Rahim to Jinnah Letter	2	Requests help to set up a cement factory at Karachi.	76
15	H.K. Sherwani to PS to Jinnah Letter	2	Apprehends transfer of British colonies and protectorates bordering on the Arabian Peninsula to the Union of South Africa whose Prime Minister, Jan Smuts, was hostile to the Muslims; requests Jinnah to take urgent measures to save the Muslims from impending catastrophe.	77
16	Walter Monckton to Jinnah Letter	3	Informs that his Personal Assistant had discussed the Hyderabad question with some members of the Opposition Front Bench in London; suggests that Jinnah make a moderately critical speech covering the points in Independence Bill affecting Pakistan and Hyderabad.	78
17	Note by Jinnah	3	Comments on various clauses of the draft Independence Bill; suggests, <i>inter alia</i> , that the Andaman and Nicobar Islands be included in Pakistan or, if no immediate decision was possible, excluded from the scope of the Bill pending final determination of their future; suggests, too, that the awards of the Boundary Commissions as well as of the Arbitral Tribunal be made binding on both Dominions.	79
18	M.M. Shafi to Jinnah Letter	3	Suggests selection of candidates for public services through a scientific method; offers his services for setting up an Employment Selection Bureau in Pakistan.	82
19	Commander, Lahore Sub-Area, to Jinnah Letter	4	Informs about the derequisitioning of his Lahore house by 1 August 1947; regrets that the restoration work might not be completed before 31 August 1947.	83
20	C.E. Gibbon to Jinnah Letter	4	Pledges loyalty of the Christian members of Punjab Legislative Assembly to the Muslim League; refers to Congress	84

			efforts to cause a split among them; suggests that the Pakistan Constituent Assembly not classify the Christian and Anglo-Indian minorities under "General".	
21	H. L. Ismay to Liaquat Ali Khan Letter & Enclosure	4	Suggests names for the appointment of a constitutional lawyer and draftsman for Pakistan.	85
22	Ali Yavar Jung to Jinnah Letter	4	States that the Viceroy was not in favour of Pakistan and was under Congress influence; suggests that the ML oppose the Congress proposal regarding Standstill Agreements; wants that after 15 August, the Indian Army, "virtually a Congress Army of occupation", should either leave Hyderabad or be placed under joint control of the ML and Congress; informs that negotiations were under way for an air service between Hyderabad and the Middle East.	86
23	Amiruddin Kedwaii to Jinnah Letter	4	Criticizes statement of certain League leaders of Meerut pledging loyalty to India in the event of a war with Pakistan; suggests a ban on such statements.	87
24	Mountbatten to Jinnah Letter	4	Asks for his immediate recommendation for the office of Governor-General of Pakistan for submission to the King.	89
25	Liaquat Ali Khan to Mountbatten Letter	4	Conveys, for the King's approval, the AIML's advice that Jinnah be appointed Governor-General of Pakistan; hopes that his appointment as Governor-General of India would be conducive to harmonious cooperation between the two Dominions.	89
26	Mountbatten to Jinnah Letter	4	Informs that some of his objections about the Bill had been met; regrets that the British Government, due to shortness of time, could not exchange views with him on his other points.	90
27	Eric Mievile to Jinnah Note & Enclosure	4	Forwards certain amendments to the draft Indian Independence Bill.	90
28	S.A. Mirza to K.H. Khurshid Letter & Enclosure	4	Congratulates Jinnah on the achievement of Pakistan; recommends a survey of the mineral resources in the new State; requests cessation of exports of livestock to Hindustan.	92
29	Mountbatten to Jinnah Letter	4	Asks for determination of salaries of the Governors of W. Punjab and E. Bengal; suggests that they be given pay as admissible to the Governor of the Central Provinces.	94
30	Mountbatten to Jinnah Letter	4	Puts across the Sikh point of view regarding the effects of partition; refers to the Sikh demands for special consideration in the Eastern Punjab, transfer of population, weightage in the Legislature of Pakistan, and a seat in the Pakistan Government.	95

31	Nazir Ahmed to Jinnah Letter	4	Proposes administrative reforms to be introduced in the Tribal Areas of the Frontier after independence.	96
32	H.M. Patel to Jinnah Circular & Enclosure	4	Circulates for approval of members of the Partition Council a note by the Steering Committee recommending changes in the personnel of certain committees.	99
33	H. M. Patel to Jinnah Circular & Enclosure	4	Circulates the agenda for the meeting of the Partition Council convened for 5 July regarding, <i>inter alia</i> , the temporary employment of British Army officers and the partition of the Federal Court and the High Courts of Bengal and the Punjab.	101
33A	H. M. Patel to Jinnah Circular & Enclosures	4	Refers to No. 33; circulates, in continuation, the papers relating to agenda items regarding the Federal Court and the Lahore and Calcutta High Courts.	103
34	Z.A. Bandukwalla to Jinnah Letter	5	Affirms support of the Dawoodi Bohra community to the ML; condemns the obscurantist and tyrannical hold of the <i>Mullaji</i> over the community; urges utilization of the services of certain enlightened Bohras in Pakistan.	109
35	Draft Note for Jinnah	5	States that in case Mountbatten accepted the office of Governor-General of India, and the Government of India did not demur, he (Jinnah) would like him to act as impartial Chairman of the Joint Defence Council.	110
36	Jinnah to Mountbatten Letter & Enclosure	5	Encloses a draft telegram criticizing inclusion of the Andaman and Nicobar Islands in India under the Indian Independence Bill; requests its transmission to the Prime Minister and the Leader of the Opposition; adds that he would be communicating his views as to the authority that could enforce the partition award in terms of the Arbitral Tribunal's decision; says he would write directly to the Prime Minister and the Leader of the Opposition in case the Viceroy balked at forwarding his views to them.	111
37	Zafrullah Khan to Jinnah Letter	5	Informs that he had been looking for a competent parliamentary draftsman and a constitutional adviser; gives particulars of three persons he considered highly suitable: John Sparrow for draftsman and G.O. Slade and G.R. Upjohn for constitutional adviser; requests immediate instructions; adds that Radcliffe was leaving for India on 6 July; suggests that he begin with Bengal.	112
38	Mountbatten to Jinnah Letter	5	Refers to No. 36; informs that his telegram had been sent to the Secretary of State with the request to forward it to the	114

			Prime Minister and the Leader of the Opposition.	
39	Nawab of Bhopal to Jinnah Letter	5	Suggests Dundas as adviser to Jahanzeb in case his proposal about the latter for the NWFP was accepted; also brings Weightman's name to his notice.	114
40	Firoz Khan Noon to Jinnah Letter	5	Says Mamdot had asked him to work for the Punjab Boundary Commission; suggests that Din Mohammad and Munir be asked to come over to Delhi for briefing by him; thinks that strict adherence to the principle of contiguity and majority would cause some queer shapes to appear on the map.	115
41	Norwef, Peshawar, to Foreign, New Delhi Telegram	5	Refer to the speech of Faiz Muhammad Khan, Afghan Ambassador at Ankara, claiming that the area up to Jhelum belonged to Afghanistan; suggests a strong protest to Afghan Government against breach of diplomatic etiquette.	115
42	M. A. Peerbhoy to Jinnah Letter	5	Disputes G. D. Birla's statistics about the economies of Hindustan and Pakistan; urges legal or other steps for transfer of Banking and Insurance Head Offices to Pakistan to promote savings and investment; stresses the requirement of a State Bank in Pakistan; points to the need of a Radio Service to help counter malicious propaganda.	116
43	Syed Aslam to Jinnah Letter & Enclosure	5	Sends a scheme for setting up a Muslim National Information Bureau with branches in most Muslim countries; seeks an interview to expedite its disposal.	120
44	Syedna Taher Saifuddin to Jinnah Letter	5	Intimates that some commercial and industrial magnates belonging to his <i>Jama'at</i> were to visit Karachi and Chittagong to explore business opportunities; stresses the imperative of addressing the problems of food and clothing; adds that a textile mill was being set up in Karachi; requests that the agriculturists he was sending to Sind to help grow more food be encouraged by giving them land, cattle, implements, and loans on easy terms.	121
45	U. P. Bansal to Jinnah Letter	6	Assures a most handsome price for his New Delhi house, if it was up for sale.	122
46	N. A. Faruqui to PS to Nawab of Bhopal Letter	6	Requests permission to use the Nawab's bungalow in Karachi as official residence for ministers.	123
47	Ahmad Ispahani to Jinnah Letter	6	Anticipates an easy win in the referendum in Sylhet; accounts for expenses incurred; adds that 1,500 Muslim National Guards had to be sent out to meet the threat posed	123

			by Sikh and Naga terrorists brought to Sylhet.	
48	Liaquat Ali Khan to Jinnah Note & Enclosure	6	Sends a note containing suggestions regarding the organization of the Pakistan Government.	124
49	Iftikhar Husain Mamdot to Liaquat Ali Khan Letter	6	Complains against the partial attitude of the General Manager, North Western Railway, towards formation of Expert Committees; points out that the standstill arrangements were being infringed to the detriment of Pakistan; apprehends foul play by non-Muslim railway employees and suggests pre-emptive measures.	135
50	Governor-General to Secretary of State for India Telegram	7	Refers to No. 41; requests that the British Minister at Kabul be asked to lodge a strong protest with the Afghan Government demanding an apology for breach of diplomatic etiquette by the Afghan Ambassador at Ankara.	137
51	Jinnah to Khan Muhammad Khan Letter	7	Wishes him success in his business venture; refuses to allow association of his name with the business.	138
52	Jinnah to Mountbatten Letter & Enclosure	7	Refers to No. 38; thanks him for having sent his telegram of 5 July to London; encloses a second telegram for despatch to London; asks that provision be made in the Indian Independence Bill for constituting an authority to enforce awards of the Boundary Commissions and the Arbitral Tribunal.	138
53	Jinnah to President, ML, London Telegram	7	Acknowledges invitation to dinner to celebrate the birth of Pakistan; exhorts Muslims to work hard to build up Pakistan as the greatest Muslim State in the world.	140
54	Jinnah to S.M. Hasan Letter	7	Thanks him for the box of mangoes sent by him and for his enthusiastic support for Pakistan and the Muslim League.	141
55	Jinnah to U.P. Bansal Letter	7	Refers to No. 45; expresses willingness to sell 10 Aurangzeb Road, New Delhi, if he got a handsome price.	141
56	Mountbatten to Jinnah Letter	7	Refers to No. 52; confirms despatch of his second telegram to the Prime Minister and the Leader of the Opposition.	142
57	Mountbatten to Jinnah Letter	7	Refers to their conversation regarding the appointments of Governors of various provinces in Pakistan; asks him to confirm if the names be submitted to the King.	142
58	Mountbatten to Liaquat Ali Khan Letter	7	Refers to No. 25; thanks him for writing that the Muslim League recommended Jinnah for the office of Governor-General of Pakistan.	143
59	H. M. Patel to Jinnah Circular & Enclosure	7	Circulates a copy of the approved proceedings of the Partition Council meeting held on 5 July 1947, dealing with (i) temporary employment of British officers and	144

- other ranks with the new Dominions after 15 August; (ii) addition of finance officers to the three Armed Forces Sub-Committees; (iii) the position of RIAF officers; (iv) recommendations of the Steering Committee on Report of Expert Committee No. VIII on Domicile; (v) arrangements regarding petrol rationing; (vi) the Federal Court; (vii) the High Courts of Bengal and the Punjab; and (viii) composition of the Arbitral Tribunal.
- 60 Secretary of State for India to British Minister at Kabul Telegram 7 Informs that the Afghan Charge d'affaires was called to the Foreign Office and handed an *aide-memoire* stressing that it was in the interest of NWFP to remain within Hindustan or Pakistan and trusting that Afghan would do nothing to hinder the transfer of power in India; adds that the Charge d'affaires reiterated Afghan Government's demand that the NWFP should have the choice not only of joining Hindustan or Pakistan but also of forming part of Afghanistan or becoming independent. 150
- 61 D. S. Sadula Khan to Yusuf A. Haroon Letter 7 On behalf of the Muslim States of Radhanpur, Dasada, Vanod, Bajuna, and Jainabad, requests him to apprise Jinnah of their desire to join Pakistan in terms of the Cabinet Mission Plan; desires an early visit by an ML deputation to settle the matter. 153
- 62 Zafrullah Khan to Jinnah Letter 7 Suggests obtaining the services of either Sparrow or Upjohn for Constituent Assembly work; proposes that India be asked to choose between the India Office and the India House so as to make one of the buildings available to Pakistan for housing its offices in London; recommends naming Pakistan as "Muslim India" or the two parts of Pakistan as "Western India and Eastern India". 154
- 63 Viceroy to Secretary of State (Copy to Jinnah) Telegram 8 Informs that Jinnah had authorized him to say that the Pakistan Government would consider itself successor to all treaty rights and obligations. 155
- 64 W. N. P. Jenkin to Liddell Letter 8 Surmises about the new set-up in Pakistan; suggests that the "Liaison Officer line" would be the appropriate way of approach in Pakistan; states that linkage with the British security would be helpful in the aftermath of the Boundary Commission Award which was expected to be unfavourable to Pakistan; suggests establishing a channel of communication between them; hints that he had been

			sounded out for the post of Pakistan's Director of Intelligence, implying that he was not on the black list although the Muslims of Lahore and Mamdot had turned against him owing to his latest control measures "hitting out pretty hard"; adds that he had destroyed his (Liddell's) letter and had kept no copy of this letter.	
65	Cantonment Board, Lahore, to Jinnah Letter	8	Advises that it was proposed to revise the assessment of his bungalow No. 53, Lahore Cantonment, from Rs. 3,600 to Rs. 8,400 per annum with effect from 1 April 1947 and that objections, if any, might be raised in writing within 30 days.	161
66	V. H. Coelho to Jinnah Circular & Enclosure	8	Circulates for information of members of the Partition Council certain decisions of the Armed Forces Reconstitution Committee regarding the apportionment of Armoured Corps and Infantry Units between the armies of India and Pakistan.	161
67	Jinnah to Mountbatten Letter	8	Endorses the suggestion that Mountbatten act as independent and impartial chairman of the Joint Defence Council if he decided to accept the Governor-Generalship of India and if the Government of India permitted him to act as such.	163
68	Shah Pasand Khan to Jinnah Letter	8	Reports that Rs. 7 lakh had been handed by Abdul Ghani son of Abdul Ghaffar Khan, to Faqir of Ipi for propagating Pathanistan among Waziris; informs about the propaganda activities of pro-Pathanistan <i>Mullahs</i> in South Waziristan; claims having baulked their efforts with the help of Mullah Shahzada and that they had consequently to leave South Waziristan.	164
69	H. B. Mustafa Ali Khan to Jinnah Letter	8	Points out that 15 August 1947 would be an auspicious day, being a Friday as well as 27 <i>Ramadan</i> , the day following <i>Shah-i-Qadr</i> ; requests Jinnah to appeal to Muslims the world over to pray for well-being of Pakistan on the occasion; reminds Jinnah that he had delivered a congratulatory message from Peer Syed Jama'at Ali Shah of Alipur, four years ago, on his escape from the attempt made on his life by a Khaksar.	166
70	M. Yakub Khan to Jinnah Letter & Enclosure	8	Submits his impressions and appraisal of the situation obtaining in the NWFP; suggests how to lay the foundation of a good administration in the Province; proposes ways and means to counter "Red-Shirtism".	168

71	National Bank of India, Lahore, to Jinnah Letter	8	Acknowledge receipt of his letter of 1 July enclosing two cheques totalling Rs. 6,300.	174
72	H. M. Patel to Jinnah Letter	8	Conveys the Partition Council's approval of the Steering Committee's recommendation regarding further concessions to the ratings and other ranks of the Royal Navy, Army, and Air Force.	174
73	Mrs Rallia Ram to Jinnah Letter & Enclosure	8	Refers to Munshi's statement on "Barbarous upheaval of violence in Pakistan"; points out that atrocities had actually been perpetrated on the Muslims by the Hindus in Bihar, Garhmukteswar and Gurgaon riots; urges ML to counter Hindu propaganda in the press which had splashed photographs of Hindu victims of the riots in Gurgaon, where in fact Muslims were being killed; discloses that 30 thousand arms licences had been issued by the "non-violent Congress Ministry" in the Frontier.	175
74	G. Squire, Kabul, to Foreign Secretary, London Telegram	8	Regrets that he could not furnish copies of the enclosures with his last letter due to oversight; says they would follow by the next mail; informs of not handing <i>aide-memoire</i> to the Afghan Foreign Ministry containing a warning and refusing to accept the visit of the Afghan Mission.	176
75	G. Squire, Kabul, to Foreign, New Delhi Telegram	8	Informs about Radio Kabul's reply to AIR broadcast, strongly refuting the allegation that the representation of Afghanistan had been made at the instigation of Russia; intimates that only the British press and radio were the targets of criticism; conveys the general trend of the article that the Frontier belonged to Afghanistan and that a referendum would not be regarded as legitimate.	177
76	C.F.V. Williams to Jinnah Letter & Enclosures	8	Refers to No. 29; encloses a note showing the existing position about the allowances of Governors.	177
77	M. Zia-ud-Din to Jinnah Letter	8	States that the Province of Baluchistan comprised British districts, tribal areas, and leased territories, but that, according to the Indian Independence Bill pending before Parliament, only the first category would come into Pakistan while the rest would revert to Kalat State; explains that, shorn of its strategically, minerally, and agriculturally vital areas, Baluchistan would become a millstone around Pakistan's neck; urges steps to prevent the loss of such areas to Pakistan.	183

78	Sh. M. Arif to Jinnah Letter	9	States that the Province of Baluchistan comprised (i) British Baluchistan, (ii) the Leased Territories, and (iii) Tribal Areas; adds that the Indian Independence Bill provided only for the first component to merge with Pakistan, the second and third components, rich in mineral wealth, reverting to the Kalat State; urges Jinnah to try and get these areas included in Pakistan.	185
79	I. I. Chundrigar to Jinnah Letter	9	Informs that the NWFP Governor had discussed with him the effect of the Referendum on the continuance of the Congress Ministry; states that he categorically rejected the idea of a coalition with the Congress and that he was non-committal about the Governor's offer to serve the Pakistan Army probably as its Commander-in-Chief; apprises of the voting pattern in the Referendum and of trouble created by the Red Shirts which had been controlled.	189
80	M. A. Ispahani to Jinnah Letter	9	Reproduces text of his telegram expressing hope of winning the Sylhet Referendum; requests that proper counting of votes be ensured; makes a demand for Rs. 50,000 by way of reimbursement of expenses incurred during the Referendum.	204
81	Abdul Qaiyum Khan to Jinnah Letter	9	Reviews the political situation in the NWFP and adjoining areas highlighting the hostile attitude of the Congress Party. Faqir of Ipi and Kabul authorities; advises stern measures including deportation of top ranking Red Shirts, if need be.	205
82	M. N. Kotwal to Jinnah Letter	9	Refers to correspondence exchanged between them; says that orders of the Court might be issued soon and that action for transfer of Mrs Perin Kapadia's property (Survey No. 1, Frere Town Quarter, Karachi) would then be taken; requests remittance of balance of purchase money, and of brokerage and charges for stamp duty and registration.	206
83	S. M. A. Majeed to Jinnah Letter & Enclosure	9	Forwards a copy of a memorandum prepared by the Khulna District Muslim League Facts Finding Committee and Khulna Eastern Pakistan Boundary Committee, quoting the 1941 Census figures and attaching a map of the district showing Khulna's position in the Gangetic delta; analyses geographical, administrative, demographic, and economic factors to support the inclusion of Khulna in Eastern Pakistan.	208

84	Manzar-i-Alam to Jinnah Letter	9	Claims to be a devotee of his ; expresses great anguish at his reported displeasure and tenders an unqualified apology; requests an interview for apologizing personally.	223
85	Mountbatten to Jinnah Letter	9	Requests him to dissuade Bihar Muslim League from pressing for the setting up of a committee to inquire into Bihar riots; considers that in the current political situation it might prove harmful to Muslims of Bihar.	224
86	Note by Cyril Radcliffe	9	Points out a lacuna in the clauses of the Indian Independence Bill concerning the awards of Boundary Commissions; suggests addition of a sub-clause to clauses 3 and 4 to the effect that the award of a Boundary Commission shall mean the recommendation of the Chairman of the Commission.	225
87	H.M. Patel to Jinnah Note & Enclosures	9	Requests attendance at a meeting of the Partition Council scheduled for 10 July; spells out the agenda : (i) liaison in the civil field between the two future Governments in Defence administration; and (ii) allocation of Armoured Corps and Infantry Units between the armies of Pakistan and India; encloses comments of Dr Rajendra Prasad on the latter.	225
88	H.M. Patel to Jinnah Circular & Enclosures	9	Refers to No. 87; circulates three more agenda items: (i) publicity policy; (ii) allocation of Artillery and Engineering Units between Pakistan and India; and (iii) partition of the Royal Indian Navy.	228
89	PS to Viceroy to Jinnah Letter	9	Forwarding note of No. 63.	236
90	PS to Jinnah to Goval Brothers Letter	9	Encloses a cheque for Rs. 3,000 from Jinnah on account of 1,200 ordinary shares of the Indian National Airways, already partly paid for, on receipt of second call notice.	236
91	Secretary of State for India to British Minister at Kabul Telegram	9	Refers to No. 50 ; communicates HMG's approval for lodging a protest with Afghan Government on the lines indicated therein ; informs that Naim Khan had not yet called on Secretary of State, but if he did, he would be informed of the instructions sent to the British Minister.	237
92	W. Zaman to Liaquat Ali Khan (Copy to Jinnah) Letter	9	Intimates Liaquat of underhand tactics adopted by Suhrawardy and Abul Hashim to capture political power; quotes instances of corruption involving Suhrawardy, R.P. Shaha, and Mohammad Ali ; fears hoodwinking by Suhrawardy if he were given further chance to exploit the new province of Eastern Bengal ; requests	238

			that the new province be purged of corruption, bribery, and nepotism and given a chance to build itself.	
93	S.M. Hosain to Jinnah Letter & Enclosure	10	Encloses a note prepared by Prof. Ahmed Ali regarding the socio-economic conditions of Muslims in China under the Kuo-min-tang regime; suggests early establishment of diplomatic relations with China in the interest of Chinese Muslims.	241
94	Ali Muhammad Khan to G. Squire Letter	10	Praises the British Government's sense of justice, felicitating them on granting independence to the peoples of India; pleads for recognition of the rights of "trans-border Afghans" of the Frontier Province and the "free tribes" of the Frontier; urges conferment of Dominion status on the Frontier Province with a view to saving the "Afghan race" from "dissolution" in Pakistan and India.	257
95	Mountbatten to Jinnah Letter	10	Informs that the resignations of all Provincial Governors had been received and invites nominations for fresh appointments.	266
96	Mountbatten to Jinnah Letter & Enclosure	10	Forwards a copy of an extract from the speech Attlee was due to make in Parliament that afternoon, during the debate on Indian Independence Bill, announcing the appointment of Mountbatten and Jinnah as Governors-General of India and Pakistan, respectively.	266
97	Mumtazuddin and A.A. Abbasi to Jinnah Letter & Enclosure	10	Encloses a scheme for "Technical Education in Pakistan"; lists existing institutes and projects future requirements in that field.	269
98	F.H. Shah to Jinnah Letter	10	Felicitates Jinnah on the achievement of Pakistan; informs about the formation of Pakistan Boy Scouts Association; requests him to become Chief Scout; encloses rules and regulations of the Association and invites suggestions to bring them in conformity with Islamic precepts.	275
99	S.P. Singha to Jinnah Letter	10	Explains how he was outvoted in the election to the Constituent Assembly; wishes to know if he should accept the invitation to attend the Conference at Caux, Switzerland; requests a meeting with him to obtain his instructions regarding the line he should take in the deliberations of the Conference.	276
100	M. Zakauallah to Jinnah Letter	10	Felicitates him on the achievement of Pakistan; makes suggestions for safeguarding interests of the Muslims in areas not included in Pakistan.	278

101	Nawab of Amb to Jinnah Letter	11	Refers to No. 124, Vol. II; since his visit to the Frontier seemed improbable in the near future, requests him to meet his (Nawab's) representatives who would acquaint him with some of the problems facing the State.	281
102	Anonym to G.H. Hidayatullah Letter	11	Intimates that the Managing Committee of the Karachi Club had unanimously decided to treat Jinnah and Miss Jinnah as honorary members of the Club; requests that they be so informed.	282
103	M.A. Gurmani to Jinnah Telegram	11	Informs of Nawab of Bahawalpur's agreement regarding Malir land; says he was reaching Delhi on 19 July to discuss details.	283
104	G.H. Hidayatullah to Jinnah Letter	11	Felicitates him on his being designated as Governor-General of Pakistan; wishes to host a banquet in his honour on his arrival in Karachi and hopes he would accept the invitation.	283
105	K.I. Huq to Jinnah Letter & Enclosure	11	Makes suggestions for (i) enforcement of Islam in all walks of life in Pakistan to make it an ideal Islamic State, worthy of emulation by the world; (ii) augmenting its mineral wealth by recourse to technical and scientific methods; (iii) ushering in progress and prosperity; and (iv) eradicating corruption and alleviating poverty by following Islamic precepts.	284
106	Stephen Irwin to Jinnah Letter	11	Thanks him for reposing confidence in the Army Sub-Committee of Armed Forces Reconstitution Committee to carry out its assignment within agreed parameters; assures him that the interests of Pakistan Army in the planning stage were in competent hands.	297
107	Ahmedali Jinnah to Jinnah Letter	11	Pays glowing tribute to him on achievement of Pakistan; reminds him of an astrologer's prediction that he would one day become uncrowned king of India.	298
108	Statement by Jinnah	11	Urges release of the Jammu & Kashmir Muslim Conference leaders who had already spent nine months in jail without trial for the "technical offence" of holding a session of the Conference despite prohibitory orders of the State Government; reiterates that the Indian States were free to join one or the other Constituent Assembly or to opt for independence.	298
109	J. Lobo to Jinnah Letter	11	Congratulates him on his being designated Governor-General of Pakistan.	299
110	Manzar-i-Alam to Jinnah Letter	11	Intimates that he had closed the Liaison Office of the All India States Muslim League at Delhi as directed; seeks an interview.	300

111	K.E.M.M.I. Marecar to Jinnah Letter	11	Urges ML to take up the case of French Indian Muslims with the French Ambassador in New Delhi as well as with the French Minister for Overseas Territories and demand (i) separate electorate, (ii) one-third of seats in all elective bodies, and (iii) representation in French Parliament.	301
112	G. Miles to Mountbatten Letter	11	Says no Indian officer of the Royal Indian Navy had sufficient experience to command the Pakistan Navy and, therefore, nominates two British officers of the rank of Commodore to select from; suggests that the officer selected should be designated as Flag Officer Commanding the Royal Pakistan Navy and given the rank of Rear-Admiral; also recommends H.M.S. Choudri as his Chief of Staff and probable successor.	302
113	Mountbatten to Jinnah Letter	11	Intimates the programme for pushing the Indian Independence Bill through Parliament.	304
114	Mountbatten to Jinnah Letter & Enclosure	11	Forwards a draft of the statement he proposed to issue asking British personnel to stay on while the Armed Forces were being divided and reconstituted; requests immediate comments.	304
115	Jinnah to Mountbatten Letter	11	Refers to No. 114; suggests an amendment in the statement Mountbatten proposed to issue asking British personnel to stay on in India pending reconstitution of the Armed Forces.	306
116	Firoz Khan Noon to Jinnah Letter	11	Says all Muslims were beholden to him for taking on a heavy burden just when he deserved rest; informs him of efforts to drum up support of Anglo-Indians, Christians, and Depressed Classes for inclusion of Jullundur Division in West Punjab; says Din Mohammad and Munir were working hard and suggests that he draw on men of exceptional ability like the former for any work he might want done.	306
117	H.M. Patel to Jinnah Circular & Enclosure	11	Sends a copy of the proceedings of meeting of the Partition Council held on 10 July containing the following main decisions: (i) a new sub-clause be added to clauses 3 and 4 of Indian Independence Bill to make it clear that award of a Boundary Commission would mean "decisions of the Chairman"; (ii) Boundary Commissions would use their discretion to interpret their terms of reference and no directive over and above those terms was required to be given to them.	307

118	A. A. Shah to Jinnah Letter	11	A medical man with a long practice and intensive research experience, intends to establish a public limited company in Sind for manufacturing pharmaceuticals.	314
119	E.W. Slaughter to Jinnah Letter	11	Sends a copy of a paper he had read at the Royal Society of Arts on transport problems; thinks it might be useful to Pakistan's Minister for Communications.	315
120	Secretary of State to Viceroy Telegram	11	Sends him terms and conditions for Cunningham accepting the Governorship of NWFP.	316
121	M.A.K. Tareen to Jinnah Letter & Enclosure	12	Informs about remittance of Rs. 329 collected by the Association of Muslim Students in America for the Pakistan Fund; encloses a copy of the Association's news bulletin for July 1947.	317
122	H. M. Patel to Jinnah Circular & Enclosure	12	Forwards for consideration at the Partition Council's next meeting a copy each of the report of the Industries and Supplies Department Sub-Committee on item 1 (a) (i) of the terms of reference of Expert Committee No. I, regarding the proposed organisation of the I. & S. Department of the Government of Pakistan and its attached offices, and of the Expert Committee's recommendations; says the Steering Committee's recommendation would follow.	327
123	H.M. Patel to Jinnah Circular & Enclosure	12	Forwards for the Partition Council's approval a note by the Steering Committee recommending replacement of Justice Rahman by Justice Sharif on the Legislative Department Sub-Committee, and of R. A. Mohamadi by S. A. Hasnie on the Industries and Supplies Department Sub-Committee.	334
124	H.M. Patel to Jinnah Note & Enclosures	12	Forwards agenda for the Partition Council's meeting fixed for 15 July to discuss, <i>inter alia</i> , the question of retention of Indian forces in Burma and Malaya, and the Reports of Industries and Supplies Department Sub-Committee and Railway Department Sub-Committee.	335
125	M.H. Rahman to Accountant General, Central Revenues Letter	12	Conveys sanction to the creation of another post of Deputy Secretary for the Pakistan Constituent Assembly.	339
126	Mrs Rallia Ram to Jinnah Letter	12	Felicitates him on his being designated Governor-General of Pakistan; says no one deserved the honour more.	340
127	T.U. Siddiqi to Jinnah Letter	12	Representing a leading Muslim electrical and mechanical engineering firm claiming vast and varied experience and expertise, offers to serve the Government of Pakistan as engineering contractors.	340

118	A. A. Shah to Jinnah Letter	11	A medical man with a long practice and intensive research experience, intends to establish a public limited company in Sind for manufacturing pharmaceuticals.	314
119	E.W. Slaughter to Jinnah Letter	11	Sends a copy of a paper he had read at the Royal Society of Arts on transport problems; thinks it might be useful to Pakistan's Minister for Communications.	315
120	Secretary of State to Viceroy Telegram	11	Sends him terms and conditions for Cunningham accepting the Governorship of NWFP.	316
121	M.A.K. Tareen to Jinnah Letter & Enclosure	12	Informs about remittance of Rs. 329 collected by the Association of Muslim Students in America for the Pakistan Fund; encloses a copy of the Association's news bulletin for July 1947.	317
122	H. M. Patel to Jinnah Circular & Enclosure	12	Forwards for consideration at the Partition Council's next meeting a copy each of the report of the Industries and Supplies Department Sub-Committee on item 1 (a) (i) of the terms of reference of Expert Committee No. I, regarding the proposed organisation of the I. & S. Department of the Government of Pakistan and its attached offices, and of the Expert Committee's recommendations; says the Steering Committee's recommendation would follow.	327
123	H.M. Patel to Jinnah Circular & Enclosure	12	Forwards for the Partition Council's approval a note by the Steering Committee recommending replacement of Justice Rahman by Justice Sharif on the Legislative Department Sub-Committee, and of R. A. Mohamadi by S. A. Hasnie on the Industries and Supplies Department Sub-Committee.	334
124	H.M. Patel to Jinnah Note & Enclosures	12	Forwards agenda for the Partition Council's meeting fixed for 15 July to discuss, <i>inter alia</i> , the question of retention of Indian forces in Burma and Malaya, and the Reports of Industries and Supplies Department Sub-Committee and Railway Department Sub-Committee.	335
125	M.H. Rahman to Accountant General, Central Revenues Letter	12	Conveys sanction to the creation of another post of Deputy Secretary for the Pakistan Constituent Assembly.	339
126	Mrs Rallia Ram to Jinnah Letter	12	Felicitates him on his being designated Governor-General of Pakistan; says no one deserved the honour more.	340
127	T.U. Siddiqi to Jinnah Letter	12	Representing a leading Muslim electrical and mechanical engineering firm claiming vast and varied experience and expertise, offers to serve the Government of Pakistan as engineering contractors.	340

128	Raja of Suket to Jinnah Letter	12	Says that because of indisposition, he was sending his representative to discuss with him (Jinnah) the position of Suket State in Pakistan to enable him to decide on its accession to Pakistan.	342
129	A. Rehman to Jinnah Letter	12	Felicitates him on achievement of Pakistan; says his personal acquaintance with the King of Saudi Arabia and previous diplomatic experience should be of value to Pakistan on establishment of diplomatic ties with foreign countries; seeks an interview.	342
130	Nawab of Bhopal to Jinnah Letter	12	Refers to No. 46; informs that he had acquired two houses in Karachi; offers to place one or both of them at the disposal of Pakistan if so instructed.	343
131	Habib Bank, Delhi, to Jinnah Letter	12	Informs about receipt of a pair of silver bracelets from one Aminul Huq of Delhi; requests instructions for its disposal.	344
132	Nasir Hussain Khan to Jinnah Telegram	12	Congratulates him on his being designated Governor-General of Pakistan.	344
133	Mountbatten to Jinnah Letter	12	Suggests that the Muslim League give a higher priority to setting up and organizing the East Bengal Administration at Dacca by 15 August.	345
134	Mountbatten to Jinnah Letter & Enclosure	12	Refers to Nos. 114 and 115; informs that amendment suggested by Jinnah had been incorporated in the statement which was being issued by him.	345
135	F. Noori to Jinnah Letter & Enclosure	12	Asserts that the <i>Anjam</i> , Delhi, had the largest circulation of all Urdu dailies in India and that it had played its part in the struggle for Pakistan; requests a message for the first issue of the newspaper to be published from Karachi.	347
136	Jinnah to Mountbatten Letter	13	Refers to No. 120; conveys his comments on Cunningham's terms for accepting the office of Governor of NWFP; considers the demand for income-tax free salary unreasonable; suggests that the war-time concession of exempting part of salary from income-tax, which was to continue that year, should be enough.	348
137	M.S. Aney to Jinnah Letter	13	Felicitates him on his being designated Governor-General of Pakistan, calling it "a fitting culmination of a career of selfless service"; hopes that the interests of minorities would be protected in Pakistan; hopes further that relations between Pakistan and India would be friendly.	349
138	Udai Bhan to Jinnah Letter	13	Felicitates him on his being designated first-ever Indian Governor-General; recalls their shared opposition to the Federation scheme mooted during the Round Table Conferences of 1931-32.	350

139	Mountbatten to Jinnah Letter	13	Intimates that the Sylhet Referendum had resulted in a majority vote for joining East Bengal.	351
140	Aga Khan to Jinnah Telegram	13	Felicitates him on his being designated Governor-General of Pakistan.	352
141	G. Moinuddin Khan to Jinnah Letter	13	Sends two officers to discuss with him political matters affecting the future of the Manavadar State; regrets his inability to come over personally as that could be misunderstood by Hindu rulers of Kathiawar States, whom he represented.	352
142	Firoz Khan Noon to Jinnah Letter	13	Informs that a large majority of Scheduled Castes in the Punjab had voted against Congress in the last elections and that Pakistan might get more territory if the Boundary Commissions excluded them from the Hindus; says Gibbon had promised support of Indian Christians for Pakistan; adds that his appointment as Governor-General had disconcerted the Hindus, especially Gandhi.	353
143	Nawab of Bahawalpur to Jinnah Telegram	14	Felicitates him on his being designated Governor-General of Pakistan; hopes for a bright future and expects to meet him soon.	354
144	Qazi Isa to Jinnah Letter	14	Congratulates him on the achievement of Pakistan; draws attention to his own role in Baluchistan giving a unanimous verdict for Pakistan; expresses disappointment at his indifference towards him; says he had had a full discussion with Liaquat and Nishtar about the leased and tribal areas of Baluchistan and that Nishtar had advised him to stay put in Delhi until the matter was resolved.	354
145	M.E. Kandawalla to Jinnah Letter	14	Congratulates him on his being designated Governor-General of Pakistan; appreciates his assurance to treat all communities without any discrimination.	355
146	Firoz Khan Noon to Jinnah Letter	14	Suggests that Pakistani troops in large numbers move into Lahore by 1 August; intimates that two lawyers had been sent to Calcutta to report on proceedings of the Bengal Boundary Commission and that Khalifa Shujauddin and two others had been assigned to assist Zafrullah Khan; communicates Radcliffe's programme.	356
147	George Abell to K. H. Khurshid Letter	14	Intimates that Royal Assent to the Indian Independence Bill would be given on 18 July 1947.	357
148	G.H. Hidayatullah to Jinnah Letter & Enclosure	14	Invites Jinnah and his sister to a dinner at the Karachi Club to felicitate him on the achievement of Pakistan.	357
149	G.H. Hidayatullah to Jinnah Letter & Enclosure	14	Seeks Central Government's approval to a note written by Secretary, Food and Civil Supplies Department, Government of	359

			Sind, regarding commercial policy for Pakistan, with which the provincial government were in agreement.	
150	M. M. Ghani Khan to Jinnah Letter	14	Felicitates him on the achievement of Pakistan.	364
151	Maharaja of Kapurthala to Jinnah Letter	14	Congratulates him on his being designated Governor-General of Pakistan.	365
152	M. M. Shah to Jinnah Letter	14	Refers to No. 61.	365
153	H.M. Patel to Jinnah Note & Enclosures	14	Invites him to attend the Partition Council's meeting fixed for 17 July 1947.	366
153A	M. A. Ispahani to Jinnah Letter & Enclosures	14	Says he was pleased with the outcome of the Sylhet Referendum and hopes the Frontier Referendum would yield even better results; forwards his suggestions aimed at fending off the detriment to East Bengal's economy likely to result from the machinations of the opponents in connection with boundary demarcation.	396
154	Note by the Viceroy Note & Enclosure	n.d.	Sends a note from the Punjab Governor on issues arising from the partition of the province for the Partition Council to deliberate and decide on.	400
155	A.A. I. Qazilbash to Jinnah Letter	15	Congratulates him on the achievement of Pakistan and sends designs of badges for the Pakistan Armed Forces.	404
156	Viceroy to Secretary of State for India Telegram	15	Intimates that Jinnah and Liaquat had protested vehemently against the construction put by Arthur Henderson, Under-Secretary of State, on the expression "other factors" occurring in the terms of reference of the Boundary Commissions; adds that Radcliffe would be telegraphed that they had rejected Henderson's interpretation.	404
157	Z.A. Suleri to Jinnah Letter	15	Reports on his work as correspondent of <i>Dawn</i> in London; requests his support for writing a book on world affairs from a Pakistani standpoint; evinces interest in a posting at the UN.	409
158	Secretary of State to Viceroy Telegram	15	Suggests that he enquire of Jinnah if the latter wished to have the services of Archibald Rowlands for two or three months after 15 August, as it would be impossible to spare him for a longer period.	411
159	Alisher Chishty to Jinnah Letter	15	Remits towards Pakistan Fund Rs. 100 collected from postal colleagues in Dharmasala; requests that provisional options of postal employees for service in Pakistan be treated as final; desires Nishtar's intervention for refund of contributions made by Muslim employees to the Postal Union Fund.	412

160	A. Motamedy to Jinnah Letter	15	Congratulates him on his being designated Governor-General of Pakistan; hopes that the close ties of friendship and cooperation between Pakistan and Iran would grow ever stronger.	414
161	Jinnah to A. Motamedy Letter	15	Acknowledges No. 160; asks that his thanks be conveyed to the Iranian Government; reciprocates with the hope that the fraternal ties between the two nations would grow stronger in the future.	415
162	Nizam of Hyderabad to Jinnah Letter	15	Congratulates him on his being designated as Governor-General of Pakistan; thanks him for promise of support in time of need.	415
163	Firoz Khan Noon to Jinnah Letter & Enclosure	15	Informs him that the Memoranda in respect of Christians and Scheduled Castes had been presented to the Punjab Boundary Commission; adds that Zafrullah would consult with the lawyers and prepare the Muslim League's Memorandum for the Commission; dispels the impression that his statement had jeopardized the inclusion of Ferozpora in West Punjab.	416
164	Jinnah to M.N. Kotwal Telegram	16	Asks if sale deed for property (Survey No. 1, Frere Town Quarter, Karachi) was ready for execution so that the balance of purchase price might be remitted.	421
165	Renato de Sa' to Jinnah Letter	16	Pays homage to Jinnah for having achieved Pakistan; sends a copy of his book <i>Winston Churchill, the Man and his Achievements</i> ; offers his services as a writer, journalist, and correspondent of Portuguese India.	421
166	Jinnah to Nawab of Amb Letter	16	Refers to No. 101; thanks him for his offer of hospitality during his visit to NWFP which did not materialize; informs that he had appointed a high-level committee for the referendum; agrees to see his representative in Karachi.	422
167	G.H. Hidayatullah to Jinnah Letter	16	Intimates that Jam Sahib of Lasbela and Nawab Sahib of Kharan were ready to join the Pakistan Constituent Assembly and had sought an interview.	423
168	Mountbatten to Jinnah Letter & Enclosure	16	Requests acceptance of Sir Laurence Grafftey-Smith as High Commissioner designate for the UK in Pakistan.	424
169	H.M. Patel to Jinnah Circular & Enclosure	16	Circulates to Members of the Partition Council an additional agenda item, regarding withdrawal of British forces, for the Council's meeting.	425
170	H.M. Patel to Jinnah Circular & Enclosure	16	Circulates to Members of the Partition Council proceedings of the Council meeting held on 15 July 1947 regarding broadcasts to the Armed Forces about progress of reconstitution; retention of the Indian Forces in Burma and Malaya; change of	426

			title of appointment of CGS in India after 15 August 1947, etc.	
171	Mahmud Hasan Khan to Nawab of Rampur Memorandum	16	Resents Rampur State's joining the Indian Constituent Assembly; explains that historically, politically, culturally, and religiously they had nothing in common with Hindu India and that the State belonged in the Pakistan Constituent Assembly; lauds the courage shown by small Muslim States like Jaora, Baoni, Janjira, and Tonk by staying out of the Indian Constituent Assembly; requests a proclamation announcing withdrawal from the Indian Constituent Assembly and participation in the Pakistan Assembly.	430
172	M.N. Kotwal to Jinnah Letter	17	Refers to No. 82; informs about the court order sanctioning the sale (of Survey No. 1, Frere Town Quarter); awaits remittance to enable execution of the sale deed.	433
173	George Abell to K.H. Khurshid Letter	17	Inquires whether Ghulam Hussain Hidayatullah had accepted the invitation to take up the appointment of Governor of Sind.	434
174	A.C. Datta to Jinnah Letter	17	Reproduces his telegram of 15 July; voices the feeling of insecurity of East Bengal Hindus due to the Muslim attitude; says they looked up to Jinnah for allaying their fears; suggests making a pronouncement to counter rumours about Hindu depositors losing their bank deposits in Pakistan.	434
175	A. K. Fazlul Huq to Jinnah Letter	17	Seeks an interview to apprise him of the infighting and squabbling among politicians for sharing the booty after independence.	436
176	A.S.M. Mofakher to Jinnah Letter	17	Congratulates him for liberating the Muslims and on his appointment as their first "ruler"; deplores corruption rampant in Muslim Bengal; claims having prepared a scheme for organizing Muslims through mosques and offers his services towards that end.	437
177	K.A.S. Mohamed to Jinnah Letter	17	Sends a design for the national flag and gives its rationale.	439
178	Nizam of Hyderabad to Jinnah Letter & Enclosure	17	To keep Jinnah informed about Hyderabad affairs, encloses a copy of the Hyderabad Delegation Report dealing with (i) evacuation of Secunderabad Cantonment; (ii) retrocession of jurisdiction over Railway lands and cantonments in the State; (iii) Berar; and (iv) Standstill Agreements, and relationship with the Indian Union, the state being free to determine its future on the lapse of paramountcy.	439

179	H.M. Patel to Jinnah Note & Enclosure	17	Circulates agenda for the Partition Council meeting regarding allocation of Indian Signal Corps, Supply Units, etc., between the two Dominions.	453
180	H.M. Patel to Jinnah Circular & Enclosures	17	Circulates instructions regarding arrangements for the transfer of optee officers and staff located on "the wrong side of the new borders".	463
181	Qaiyum Khan to Jinnah Letter & Enclosures	17	Encloses two notes on the general political situation in the tribal areas, highlighting the activities of the Faqir of Ipi and his associates for an independent state in Waziristan and the lack of an organized effort on the part of the ML to counter them.	465
182	Patrick Spens to Jinnah Letter	17	Requests him to nominate his representative on the Arbitral Tribunal.	471
183	Abu Sulaiman to Z.A. Ansari Letter (extract)	17	Informs that Congress agents had succeeded in converting the Faqir of Ipi to their point of view and that the Jami'yyat-i-'Ulama delegation had met the Faqir who had become a strong enemy of Pakistan; adds that the Afghan Government was instigating the tribals to support Pathanistan.	471
184	M.N. Kotwal to Jinnah Telegram	17	Intimates that everything was ready (regarding purchase of the house in Karachi).	472
185	Nawab of Bhopal to Jinnah Letter	18	Explains why he had not sent a congratulatory message on Jinnah being designated Governor-General of Pakistan; assures him of his unwavering loyalty and devotion.	472
186	C. Corfield to Jinnah Letter & Enclosure	18	Refers to their conversation on 15 July about offer to Weightman of Governorship of Baluchistan; encloses a copy of reply received; says he would inform him of Weightman's reply when received.	473
187	M. Inamur Rahim to Jinnah Letter & Enclosure	18	Reminds him of Manual Alzate of Phillipines; encloses a letter received from him, expressing gratitude for the hospitality extended to him in New Delhi.	474
188	M. Iqbal Khan to Jinnah Letter & Enclosure	18	Encloses a letter from <i>Sajjada Nashin</i> , Sial Sharif, and President, District ML, Sargodha, demanding introduction of <i>Shari'at</i> in Pakistan; suggests that an Advisory Committee of 'Ulama be set up to advise the Constituent Assembly of Pakistan.	475
189	Mountbatten to Jinnah Letter & Enclosure	18	Forwards a copy of a draft press communique regarding the deposition of Mir of Khairpur because of insanity.	479
190	Mountbatten to Jinnah Letter & Enclosures	18	Intimates that he had informed Mudie and Jenkins that he (Jinnah) wanted Mudie to reach Lahore about a week before	480

			taking over from Jenkins, because of the complicated Punjab situation and also because he (Jinnah) desired to shift to the Government House, Karachi, some days before 15 August.	
191	Mountbatten to Jinnah Letter & Enclosure	18	Refers to his telegram of 15 July to Secretary of State about Henderson's speech regarding terms of reference of the Boundary Commissions; encloses a copy of Secretary of State's reply clarifying the import of the expression "other factors"; says a copy had also been given to Radcliffe.	481
192	H.M. Patel to Jinnah Circular & Enclosures	18	Circulates a copy of papers relating to item 6 of the agenda for the Partition Council's meeting scheduled for 19 July, regarding transfer of personnel, records, furniture, etc., and assessment of staff requirements of certain Government departments.	483
193	S.A. Haider to Jinnah Letter	19	Recounts the services rendered by Hewett Engineering School, Lucknow, in the field of technical education; requests recognition of the School by the Pakistan Government and help in establishing a branch at Karachi; seeks appointment as Honorary Adviser to assist Pakistani candidates in connection with their technical education in the UK and Europe.	499
194	A.H. Khan to Iskander Mirza Note & Enclosure	19	Suggests that, given the general hostility towards Pakistan, tight security measures be taken to protect Jinnah and high Pakistan officials as well as the Secretariat etc.	502
195	H.M. Patel to Jinnah Circular & Enclosure	19	Circulates copy of approved proceedings of the Partition Council meeting held on 17 July dealing, <i>inter alia</i> , with: (a) deployment of troops to deal with disturbances in and around the boundary areas between the two Dominions after 15 August; (b) appointment of chairman of the Arbitral Tribunal; (c) transfer and posting of officers to East and West Punjab; and (d) setting up of a new Partition Council on 15 August to complete the unfinished partition work.	503
196	Pir of Manki Sharif to Jinnah Letter	19	Suggests that the new Ministry in NWFP include a portfolio of Islamic <i>Shari'at</i> and that the Minister holding it should be assisted by an Advisory Council comprising eminent Muslim jurists.	512
197	Ruler of Swat to Jinnah Letter	19	Congratulates him on the achievement of Pakistan and on his being designated Governor-General of the new State.	513

198	S.A. Shakoor to Jinnah Letter	19	Conveys request of the Ruler of Pathari State for an interview to seek his advice on matters of vital concern to Muslim States.	514
199	H. M. Patel to Jinnah Note & Enclosures	19	Requests his participation in the Partition Council meeting convened for 22 July to consider, <i>inter alia</i> , reports of the AFRC and Departmental Sub-Committees on the Railway, Finance, and Commerce Departments; forwards working papers on agenda items.	514
200	Mirsahbaq Khan to Jinnah Telegram	19	Informs that the Nawab of Kharan and the Jam of Lasbela had left for Delhi to meet him and attempt to create friction between the Pakistan Government and Kalat; suggests that he be careful.	544
201	Eric Mievill to Jinnah Letter	20	Conveys the result of the NWFP Referendum.	545
202	Eric Mievill to Jinnah Letter	20	Conveys Frontier Governor's message that Dr Khan Sahib and Abdul Ghaffar Khan had indicated that their Party would accept Pakistan if an agreement were reached conceding (i) complete autonomy for the Frontier Province except for defence, external affairs, and communications, (ii) right of the Province to secede from Pakistan, (iii) inclusion of contiguous areas in British India inhabited by the Pathans in the Province if they so wished; requests to find out if Jinnah would be prepared to meet Ghaffar Khan on the basis of these terms.	545
203	Eric Mievill to Jinnah Letter	20	As directed by Viceroy, conveys Lockhart's information that Frontier Ministry had no intention of resigning except if Dr Khan Sahib was assured that a general election would soon be held.	546
204	Abdur Rahman to Jinnah Letter & Enclosures	20	Submits four articles dealing with economic development of NWFP, Tribal and other areas of Pakistan and the development of irrigation in Afghanistan; offers his services, given his experience in buildings, roads, and irrigation, etc.	547
205	Ad hoc Selection Board to Jinnah Note & Enclosure	20	Makes recommendations to Jinnah for appointment of Secretaries to Government of Pakistan and other top officers and for regrouping of Ministries.	561
206	Raghib Ahsan to Jinnah Letter & Enclosure	20	Forwards a copy of the memorandum of the Calcutta District Muslim League submitted to the Bengal Boundary Commission, demanding suzerainty of East Bengal over Calcutta; also intimates that his entry into Bihar had been banned by the Provincial Government; suggests certain names for supervision of work relating to relief and rehabilitation of Bihar refugees.	567

207	E.I. Hashimi to Jinnah Letter	21	Pays him tribute for achieving Pakistan; assures him of his continued support for Pakistan and efforts to promote greater understanding between the Arabs and Indians; hopes that all issues would be solved by him.	591
208	Jinnah to M.N. Kotwal Letter	21	Acknowledges No. 184; intimates having instructed the bank to pay him the balance of the price of property (at Frere Town Quarter); indicates date of his arrival in Karachi and instructs him to keep title deed etc. ready.	591
209	Jinnah to Nizam of Hyderabad Letter	21	Acknowledges No. 162; suggests that no final decision be taken without his concurrence.	592
210	Manager, Maiden's Hotel, Delhi, to Jinnah Letter	21	Solicits help for recovery of Rs. 784-4-6 from Qazi Mohammad Isa.	593
211	Jinnah to M. N. Kotwal Telegram	21	Intimates that Habib Bank had been advised to pay him Rs. 1,40,000 as balance of purchase price (for property Survey No. 1, Frere Town Quarter, Karachi) and that brokerage would be paid on receipt of bill.	593
212	C. P. Scott to Jinnah Letter	21	Communicates text of announcement to be issued from 10 Downing Street, London, regarding the appointment of Sir Laurence Grafftey-Smith and Sir Terence Shone as High Commissioner in Pakistan and India, respectively.	594
213	Jinnah to Executive Officer, Lahore Cantonment Board Letter	21	Takes objection to the enhanced assessment for his bungalow in Lahore Cantt; urges against increase on the basis of gross rent.	594
214	Mir Laik Ali to Jinnah Letter	21	Requests remittance of Rs. 12,875 for 1,000 shares in Sirsilk Ltd.	595
215	H.M. Patel to Jinnah Circular & Enclosures	21	Circulates agenda for the meeting of the Partition Council called for 22 July to consider division of furniture, office equipment, etc.	596
216	A.M. Khan to British Government Letter	21	Discusses various problems relating to partition of India, especially of the Punjab, Bengal, Assam, and Hill Tribes; gives population statistics to show injustices done to Muslims of these areas in the provisional plan of partition.	601
217	Confidential Report	21	Diary of Peshawar District Police for the week ending 18 July 1947 on activities of political parties etc. especially during the referendum.	631
218	Amrit Kaur to Jinnah Letter	22	Recommends the case of a Sahijram Motiram all of whose bungalows in Karachi had been requisitioned by the Government, leaving him and his children without alternative accommodation;	636

			requests that he be allowed to keep one house for his own use.	
219	G. M. Kelly to Jinnah Letter & Enclosure	22	Extends his greetings on taking over as Chief of New Delhi Bureau of the Associated Press of America; sends a questionnaire for him to answer as he believed the world press was interested to know his plans for the future.	637
220	Note by A. P. Low	22	Gives the background to Afghan claims on the NW Frontier and the reaction of British and Indian Governments; concludes that the Afghan propaganda had scant success in the tribal areas although its main support lay in Abdul Ghaffar Khan's demand for "Pathanistan".	639
221	Soedarsono to Jinnah Letter	22	Sends a copy of Indonesian Information Service, Delhi's publication <i>Merdeka</i> of 18 July 1947 containing news, views, etc., about the latest course of events in Indonesia.	642
222	Rusi Mistri to Jinnah Letter	23	Congratulates him on his political success; says that though a non-Muslim, he supported the ML and had drawn up plans for industrialization of Pakistan and for setting up of an Air Training Centre; also offers to place his services at the disposal of the Pakistan Government without any remuneration.	643
223	M. Hassan to K.H. Khurshid Letter	23	Provides information about prices of high-quality Persian carpets as desired by Jinnah and seeks instructions regarding their purchase; says Muslims of Syria, Lebanon, and Iran had generally reacted favourably to the creation of Pakistan.	644
224	Mountbatten to Jinnah Letter	23	Recommends Air Vice-Marshal A. L. A. Perry-Keene as the most suitable candidate for appointment as C.-in-C., RPAF; suggests that he call Perry-Keene for an interview as early as possible; requests confirmation that he was agreeable to the appointments of Lieut.-Gen. Frank Messervy as Commander of the Pakistan Army, and Commodore Jefford as the Flag Officer Commanding the RPN.	647
225	Nawab of Bhopal to Jinnah Letter	23	Suggests that in view of the worsening situation in Java, he consider declaring on behalf of Pakistan that Muslim India would consider it an unfriendly act if the Government of the Netherlands resorted to arms to crush the national liberation of Indonesia; suggests that a note of warning be sounded to the USA and the UK to re-establish peace in Java.	648

226	Note by M. A. Azam	23	Forwards the outline of a plan for industrialization of Pakistan; states the principles and procedures of economic planning and suggests priorities for sectoral development.	648
227	H. M. Patel to Jinnah Circular & Enclosures	23	Circulates copy of approved proceedings of the meeting of Partition Council held on 19 July 1947 dealing, <i>inter alia</i> , with: (a) purchase of tanks in the United Kingdom, and (b) future economic relations between Pakistan and India.	655
228	H.M. Patel to Jinnah Note & Enclosures	23	Requests his participation in the meeting of the Partition Council fixed for 24 July to consider the division of officers and staff between the Governments of Pakistan and India and the Reports of the Sub-Committees of the Legislative and Health Departments; forwards working papers on items of agenda.	659
229	Abu Sulaiman to Z. A. Ansari Letter (extract)	24	Informs him of his Waziristan tour; reports the political activities of the Afghan Government, the Congress, and the Faqir of Ipi in the tribal areas; suggests measures to counter the Congress propaganda about Pathanistan; requests that his views be conveyed to Jinnah.	670
230	P. Oosman Koya to Jinnah Letter	24	Congratulates him on the achievement of Pakistan; eulogises his fulfilment of the dream of Maulana Muhammad Ali and Muhammad Iqbal; recounts the efforts of Malabar Muslim youth in that behalf and sends a contribution of Rs. 10; requests facility to travel to and serve Muslim countries.	672
231	Mountbatten to Jinnah Letter	24	Refers to No. 136; informs that Cunningham had agreed to serve as Governor of NWFP; enquires about Hidayatullah's acceptance of the office of Governor of Sind and hopes for a decision about Killearn's governorship of East Pakistan; explains the difficulties in making Baluchistan a Governor's province.	673
232	H. L. Ismay to Jinnah Letter & Enclosure	24	Sends a draft seeking approval for an announcement about setting up of the Constituent Assembly of Pakistan; points out that the representation of the North-West Frontier Province presented a problem.	674
233	H. M. Patel to Jinnah Note & Enclosures	24	Requests attendance at Partition Council's meeting on 26 July; encloses agenda relating, mainly, to (i) procurement of foodstuffs etc., for Armed Forces after 15 August 1947; (ii) plan of action to forestall disturbances in the boundary areas; (iii) allocation of RIASC Transport Units;	677

			(iv) training of Indian officers in the UK; (v) procedure in the Steering Committee for dealing with AFRC decisions; (vi) division of Legislative Department's library; (vii) report of Railway Department Sub-Committee regarding interchange of traffic; (viii) reconstitution of provincial legislatures on partition; and (ix) stationery requirements of the Pakistan Government for 1947-48.	
234	M. N. Kotwal to Jinnah Letter	25	25 Informs him, with regard to No. 211, that the sale deed had been executed and documents presented for registration; adds that the property had been taken over by the Pakistan Government and that payment of rent would be made from 1 August 1947; congratulates him on being designated Governor-General of Pakistan.	688
235	H. M. Patel to Jinnah Circular & Enclosure	25	25 Circulates approved proceedings of the meeting of Partition Council held on 22 July 1947 regarding allocation of the Indian Electrical and Mechanical Engineers; allocation of the Indian Pioneer Corps; location of Naval Headquarters, Pakistan, etc.	688
236	Jinnah to H. L. Ismay Letter	25	25 Acknowledges No. 232; agrees that the announcement regarding the Constituent Assembly of Pakistan be issued at once.	693
237	Jinnah to Mountbatten Letter	25	25 Acknowledges No. 231; says he had no objection to the King's formal approval being obtained for the new Governors of West Punjab, NWFP, and Sind, and for Prior continuing as Chief Commissioner of Baluchistan; adds that the selection of Governor of East Bengal would be made soon; thanks for his assistance in the selection of Governors.	693
238	Record of Interview with Jinnah	25	25 In an interview with the leader of a deputation of Coorg Muslims, Jinnah advises the Muslims of India, <i>inter alia</i> , to adapt themselves to the changed circumstances without sacrificing their identity and individuality, make progress educationally and economically, and play a balancing role in Indian power politics.	694
239	Jinnah to Eric Mievill Letter	25	25 Acknowledges No. 202; regrets inability to meet Abdul Ghaffar Khan to negotiate an agreement on the terms reported by the NWFP Governor; states that he had no power to negotiate any matter falling within the purview of the Constituent Assembly.	698
240	Jinnah to Mountbatten Letter	25	25 Refers to No. 168; approves of the appointment of Laurence Grafftey-Smith as High Commissioner for the United Kingdom in Pakistan.	698

241	Jinnah to Mountbatten Letter	25	Acknowledges No. 224; approves of the appointments of Lieutenant-General Frank Messervy, Commodore Jefford, and Air Vice-Marshal Perry-Keene to command the Pakistan Army, Navy and Air Force, respectively.	699
242	M. I. Khuraishy to K. H. Khurshid Letter	25	Sends a design of Pakistan flag for Jinnah's approval.	699
243	Jinnah to <i>Sajjada Nashin</i> , Sial Sharif Letter	25	Refers to Enclosure to No. 188; assures that his suggestions would be considered carefully.	700
244	M. G. Mohammed to K. H. Khurshid Letter	25	Emphasizes the need to work for a better future for Kashmir; mentions the deplorable political conditions obtaining there and regrets absence of a sincere and devoted leadership; seeks guidance on how the rights of Kashmiri Muslims could be won.	700
245	Jinnah to Patrick Spens Letter	25	Refers to No. 182; says that the terms of reference of "Arbitration" Tribunal were not ready yet but he could send the names for appointment to the Tribunal if desired.	702
246	Nawab of Amb to Jinnah Letter	25	Congratulates him on success in the Frontier Referendum; draws attention to the Frontier problems and the machinations of the enemy camp; looks forward to his taking office of Governor-General and prays for his long life.	702
247	M. A. Alavi to Jinnah Letter & Enclosure	25	Felicitates him on his being designated Governor-General of Pakistan; encloses copies of a draft constitution for consideration by members of the Pakistan Constituent Assembly.	703
248	Fida Hosain to Jinnah Letter & Enclosure	25	Congratulates him on emancipating Muslims from Hindu bondage; sends a copy of a draft constitution for Pakistan.	712

No.	Description	Date July 1947	Summary
1	S. Hassan Shah to Jinnah Application (F. 162/130)	3	A qualified and experienced civil engineer; offers his services for Pakistan.
2	Muhammad Wakil to K. H. Khurshid Application (F. 162/168-9)	3	Seeks to serve on the staff of the Pakistan Constituent Assembly.
3	H. M. Patel to Jinnah Circular & Enclosure (F. 127/1-2)	5	Refers to the decision of the Partition Council regarding further concessions to be offered to ratings and other ranks of the Royal Navy, British Army, and the Royal Air Force, and circulates a note by the Steering Committee for the Council's approval.
4	H. M. Patel to Jinnah Circular (F. 127/3)	5	Refers to No. 32; conveys approval of the Partition Council to the changes recommended by the Steering Committee in the personnel of certain committees.
5	Intisar Mehdi Rizvi to M. H. Saiyid Letter & Enclosures (F. 162/215-22)	7	Offers to serve as a lecturer in Sind.
6	PWD, Bombay, to Jinnah Letter (F. 910/330)	9	Inform that the lift at his residence had been inspected and found to be in working order.
7	PWD, Bombay, to Jinnah Letter (F. 910/331)	9	Request payment of a fee of Rs. 15 on account of inspection of the lift at his residence.
8	Inventory of Bungalow No. 53, Lahore Cantonment (F. 910/336-44)	10	Contains a list of the electric and other fittings in Jinnah's bungalow at Lahore Cantonment made over to the lessee on 16 April 1941, and the deficiencies found on 10 July 1947.
9	A. B. Awan to Jinnah Petition (F. 162/285-8)	12	An ex-officer of Royal Indian Air Force; petitions for reinstatement in service.
10	S. G. M. Ahmad Khan to K. H. Khurshid Letter & Enclosure (F. 683/435-7)	12	Encloses Money Order receipt; requests supply of <i>Manshoor</i> , Delhi.
11	H. M. Patel to Jinnah Circular (F. 127/75)	14	Refers to No. 123; intimates that the changes recommended by the Steering Committee in the personnel of certain committees had been approved by the Partition Council.
12	Peoples Motors Corporation, New Delhi, to Jinnah Bill (F. 156/262)	15	Send duplicate of a bill for Rs. 232-14-0 on account of the supply of tyres, etc., for his car No. BMW 1132.

- | | | | |
|----|---|----|--|
| 13 | Peoples Motors Corporation, New Delhi, to Jinnah Bill
(F. 156/263) | 15 | Send duplicate of a bill for Rs. 242-2-0 on account of repairs to his car No. BMW 1132. |
| 14 | Refrigerators (India) Ltd., New Delhi, to Jinnah Bill
(F. 757/173) | 15 | Send a bill for Rs. 7-8-0 on account of servicing the super cooler. |
| 15 | H. M. Patel to Jinnah Circular & Enclosures
(F. 127/134-77) | 15 | Circulates papers relating to the agenda for the meeting of the Partition Council called for 17 July and containing the recommendations of Steering Committee on the Reports of Transport Department Sub-Committee and Works, Mines, and Power Department Sub-Committee, dealing with the reorganization of those Departments. |
| 16 | Notes by Jinnah
(F. 42/2) | 15 | Lists appointments with Nott, Jefford, Miles, and Corfield during the day; wonders who would decide on points of dispute after 14 August when Partition Council had ceased to function; mentions areas of future planning and organisation. |
| 17 | Allied Motors Ltd., New Delhi, to Jinnah Letter
(F. 910/333) | 16 | Request payment of their bills on account of the purchase of a battery and the charging of another. |
| 18 | Habib Bank, Delhi, to Jinnah Letter
(F. 757/172) | 17 | Enclose two sealed envelopes addressed to him and request acknowledgment. |
| 19 | Statement of Expenses
(F. 683/404-6) | 18 | Details expenses incurred on account of house tax, electricity and water bills, land revenue, telephone bills, etc. |
| 20 | Inayat Ullah, New Delhi, to Jinnah Letter
(F. 162/322-4) | 21 | Felicitates him on the achievement of Pakistan; gives suggestions aimed at effecting substantial economy in the expenditure of the North Western Railway without detriment to efficiency; seeks an interview with his Secretary in case the suggestions needed explaining. |
| 21 | New Delhi Municipal Committee, to Jinnah Receipt
(F. 169/28) | 22 | Acknowledge receipt of a cheque for Rs. 106-9-0 on account of electricity and water charges. |
| 22 | Government of Bengal to Pakistan Cabinet Secretariat, New Delhi Telegram
(F. 560/46) | 22 | Inform that W. B. Kadri would represent Bengal Government at the conference. |

- | | | | |
|----|--|----|--|
| 23 | New Book Co. Ltd.,
Bombay, to Jinnah
Receipt
(F. 757/177) | 23 | Acknowledge receipt of Rs. 3-8-0. |
| 24 | Thacker's Press &
Directories Ltd.,
Calcutta, to PS to
Jinnah
Letter
(F. 156/252) | 24 | Enquire whether particulars of the new
Government of Pakistan and its personnel
could be made available for the forthcom-
ing edition of the <i>Thacker's Indian Direc-
tory</i> . |
| 25 | A. Rashid, Jammu
Cantt., to
K. H. Khurshid
Letter
(F. 861/114) | 24 | Requests that he may be informed of any
opportunity of his (Rashid's) joining the
Pakistan services. |
| 26 | Imperial Bank of
India, New Delhi, to
Jinnah
Memorandum
(F. 85/11-2) | 24 | Enclose Government treasury receipt for
Rs. 235. |
| 27 | PWD, Bombay, to
Jinnah
Memorandum
(F. 886/270-1) | 25 | Refer to No. 6 above; remind him of the fee
due to be paid for inspection of lift at his
residence. |
| 28 | A. Baqui to
Mountbatten
Letter
(F. 1167/5-7) | 25 | Warns of the danger of an alliance between
the Hindus, Japanese, and Chinese; sug-
gests counter-measures; compares the
Hindu mentality with that of the Mus-
lims; proposes independence of Bengal
and the Punjab; suggests that Jinnah be
regarded as his (Mountbatten's) sympa-
thizer for dealing with Muslim States
within and outside India. |
| 29 | H. M. Patel to Jinnah
Circular & Enclosure
(F. 127/509-11) | 25 | Circulates Steering Committee's memo-
randum regarding financial and account-
ing arrangements for the period between
19 July to 15 August, for consideration at
the Partition Council's meeting called for
26 July. |

1

Erskine Crum to M. A. Jinnah

F. 4/136-7

CONFIDENTIAL

1 July 1947

THE INDIAN INDEPENDENCE BILL

1. The following are expected at The Viceroy's House at 10 a.m. on Tuesday, 1st July, to study the Draft Bill:¹

(a) *Congress Representatives*²—in the Council Room

Mr. Gandhi

The Hon'ble Pandit Jawaharlal Nehru

The Hon'ble Sardar Vallabhbhai Patel

Sir B. N. Rau³

Mr. H. M. Patel⁴

Sir A. Krishnaswami Aiyer⁵

Sir Gopalaswami Aiyengar⁶

Mr. K. M. Munshi⁷

(b) *Muslim League Representatives*—in Lord Ismay's office

Mr. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Mr. Justice [S.] Abdur Rahman⁸

Mr. Mohamad Ali⁹

2. As.D.C. as follows will be in charge of the respective parties:

(a) Capt. Hukam Singh Yadav

(b) Lt. S. M. Ahsan

The telephone number of the A.D.C. room is Extension 9 on the House Exchange.

3. The following advisers will be available in the office immediately across the courtyard from the Council Chamber, on call to answer any queries in connection with the Draft Bill:

Rao Bahadur V. P. Menon, Reforms Commissioner

Sir George Spence, Secretary, Legislative Department

Mr. R. S. Sundaram, Joint Secretary, Legislative Department

4. The three papers issued are:

(a) The Draft Bill itself,

(b) Notes on clauses.¹⁰

It is suggested that the above two papers should be read first, together.

(c) Points for discussion.¹¹

If it is intended to raise for discussion with the Viceroy other points

arising out of the Bill, it is requested that one of the advisers mentioned above should be so informed.

5. It is regretted that H.M.G. have made it a condition that the Draft Bill and the other papers should not be removed from the Viceroy's House.¹² However, the Council Room and Lord Ismay's office, respectively, will be freely available for any of the representatives who wish to come and study the papers at any time. Please inform the A.D.C. accordingly.

V. F. ERSKINE CRUM
Lieutenant Colonel
Conference Secretary

¹Enclosure 1. It included changes proposed by Mountbatten and India & Burma Committee.

²Underlined here and subsequently in the original.

³Constitutional Adviser to the Constituent Assembly of India.

⁴Secretary, Viceroy's Executive Council

^{5,6,7}Members, Constituent Assembly of India.

⁸Judge, Lahore High Court and Member, Bengal Boundary Commission.

⁹Financial Adviser, Military Finance.

¹⁰Enclosure 2.

¹¹Enclosure 3.

¹²The Draft Bill presumably came to Jinnah's hand on 4 July when he was also provided with a copy of the Bill as presented to Parliament the same day. See No. 26.

Enclosure 1 to No.1

F.4/103-35

Editorial Note. The Draft Bill as shown to Indian Leaders underwent a number of changes before being printed for introduction in Parliament on 4 July (see No. 26). These changes came about as result of comments made by the ML (Annexes I, II & III) and Congress (Annex IV) on the Draft Bill, Congress comments on the ML comments (Annex V), the ML comments on Congress comments (Annex VI), Viceroy's comments on Congress comments (Appendix I. 5), Viceroy's comments on the ML comments (Appendix I. 6), and India and Burma Committee's deliberations on 3 July (Appendix I. 7). Footnotes tracing the evolution of the Bill in response to political parties' comments have been given in the appropriate Annexes.

The portions of the Draft Bill in roman within square brackets were deleted and those in italics within square brackets were inserted, re-numbering some of the clauses, in the published Bill.

Following its passage by Parliament, the Bill received Royal Assent on 18 July and a copy of the Act, published by the Government of

India, was sent by Mohamad Ali, Pakistan's Cabinet Secretary, to Jinnah on 24 July. See F. 4/1-18, QAP. Not printed. Sub-clauses in arabic numerals have been placed within round brackets.

Additions to the Bill incorporated in the Act have been given in italics within double square brackets. Also see Appendix I.

INDIAN INDEPENDENCE BILL ARRANGEMENT OF CLAUSES

SECRET

Clause

1. The new Dominions
2. Territories of the new Dominions
3. Bengal and Assam
4. The Punjab
5. The Governor-General of the new Dominions
6. Legislation for the new Dominions
7. Consequences of the setting up of the new Dominions
8. Temporary provision as to government of each of the new Dominions
9. Orders for bringing this Act into force
10. Secretary of State's Services, etc.
11. Indian Armed Forces
12. British Forces in India
13. Naval Forces
14. Provisions as to the Secretary of State and the Auditor of Indian Home Accounts
15. Legal proceedings by and against the Secretary of State
16. Aden
17. Divorce jurisdiction
18. Provisions as to existing laws etc.
19. Interpretation etc.
20. Short title

SCHEDULES

First Schedule—Bengal Districts provisionally included in the new Province of East Bengal

Second Schedule—Districts provisionally included in the new Province of West Punjab

Third Schedule—Modifications of Army Act and Air Force Act in relation to British forces

DRAFT OF A BILL TO
MAKE PROVISION FOR THE SETTING UP IN INDIA OF TWO
INDEPENDENT DOMINIONS¹ AND FOR OTHER MATTERS
CONSEQUENTIAL ON OR CONNECTED
WITH THE SETTING UP THEREOF

Be it enacted by the King's most Excellency² Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

THE NEW DOMINIONS

1. (1) As from the fifteenth day of August, nineteen hundred and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan.

(2) The said Dominions are hereafter in this Act referred to as "the new Dominions", and the said fifteenth day of August is hereafter in this Act referred to as "the appointed day".

TERRITORIES OF THE NEW DOMINIONS

2. (1) [*Subject to the provisions of sub-sections (3) and (4) of this section,*] The territories³ of India shall be the territories under the sovereignty of His Majesty which, immediately before the appointed day, were included in British India except the territories which, under sub-section (2) of this section, are to be the territories of Pakistan.

(2) [*Subject to the provisions of sub-sections (3) and (4) of this section,*] The territories of Pakistan shall be—⁴

- (a) the territories which, on the appointed day, are included in the Provinces of East Bengal and West Punjab, as constituted under the two following sections;
- (b) the territories which, at the date of the passing of this Act, are included in the Province of Sind and the Chief Commissioner's Province of British Baluchistan; and
- (c) if, whether before or after the passing of this Act but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the North-West Frontier Province are in favour of representatives of that Province taking part in the Constituent Assembly of Pakistan, the territories which, at the date of the passing of this Act, are included in that Province.

(3) Nothing in this section shall prevent any area being at any time included in or excluded from either of the new Dominions, so, however, that—

- (a) no area not forming part of the territories specified in sub-section (1) or, as the case may be, sub-section (2), of this section shall be included in either Dominion without the consent of that Dominion; and
- (b) no area which forms part of the territories specified in the said sub-section (1) or, as the case may be, the said sub-section (2), or which has after the appointed day been included in either Dominion, shall be excluded from that Dominion without the consent of that Dominion.

[(4) Without prejudice to the generality of the provisions of sub-section (3) of this section, nothing in this section shall be construed as preventing the accession of Indian States to either of the new Dominions.]

BENGAL AND ASSAM

3.(1) As from the appointed day—

- (a) the Province of Bengal, as constituted under the Government of India Act, 1935, shall cease to exist; and
 - (b) there shall be constituted in lieu thereof two new Provinces, to be known respectively as East Bengal and West Bengal.
- (2) If, whether before or after the passing of this Act but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the District of Sylhet are in favour of that District forming part of the new Province of East Bengal, [then, as from the appointed day—⁵
- (a) the Province of Assam, as constituted under the Government of India Act, 1935, shall cease to exist; and
 - (b) there shall be constituted in lieu thereof a new Province to be known as Assam; and
 - (c) a part of the territories of the Province of Assam which ceases to exist shall, in accordance with the provisions of sub-section (3) of this section, form part of the new Province of East Bengal.] [then, as from that day, a part of the Province of Assam shall, in accordance with the provisions of sub-section (3) of this section, form part of the new Province of East Bengal.]

[(3) The boundaries⁶ of the new Provinces aforesaid shall be such as may be determined, before the appointed day, by order of the Governor-General, in the light of the relevant reports of any boundary commissions appointed or to be appointed by him in that behalf, or as may be determined, on or after the appointed

day, by agreement⁷ between the two new Dominions in the light of any such reports, but until the boundaries are so determined—]

- [(3) *The boundaries of the new Provinces aforesaid, and in the event mentioned in subsection (2) of this section, the boundaries after the appointed day of the Province of Assam, shall be such as may be determined, whether before or after the appointed day by awards of boundary commissions appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined—]*
- [[(3) *The boundaries of the new Provinces aforesaid, and in the event mentioned in sub-section (2) of this section, the boundaries after the appointed day of the Province of Assam, shall be such as may be determined, whether before or after the appointed day, by the award of a boundary commission appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined—]]*
- (a) the Bengal Districts specified in the First Schedule to this Act, together with, in the event mentioned in sub-section (2) of this section, the Assam District of Sylhet, shall be treated as the territories which are to be comprised in the new Province of East Bengal;
- (b) the remainder of the territories comprised at the date of the passing of this Act in the Province of Bengal shall be treated as the territories which are to be comprised in the new Province of West Bengal; and
- (c) [in the event specified in sub-section (2) of this section, the territories, other than the District of Sylhet, comprised at the date of the passing of this Act in the Province of Assam shall be treated as the territories which are to be comprised in the new Province of Assam.]
- [*in the event mentioned in sub-section (2) of this section, the District of Sylhet shall be excluded from the Province of Assam.*]
- [[(4) *In this section, the expression "award" means, in relation to a boundary commission, the decision of the Chairman of that commission contained in his report to the Governor-General at the conclusion of the commission's proceedings.*]]

THE PUNJAB

4. (1) As from the appointed day—

- (a) the Province of the Punjab, as constituted under the Government of India Act, 1935, shall cease to exist; and
- (b) there shall be constituted two new Provinces, to be known respectively as West Punjab and East Punjab.
- (2) [The boundaries⁸ of the said new Provinces shall be such as

may be determined, before the appointed day, by order of the Governor-General, in the light of the relevant reports of any boundary commissions appointed or to be appointed by him in that behalf, or as may be determined, on or after the appointed day, by agreement between the two new Dominions in the light of any such reports, but until the boundaries are so determined—]

[The boundaries of the said new Provinces shall be such as may be determined, whether before or after the appointed day, by awards of boundary commissions appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined—]

- (a) the Districts specified in the Second Schedule to this Act shall be treated as the territories to be comprised in the new Province of West Punjab; and
 - (b) the remainder of the territories comprised at the date of the passing of this Act in the Province of the Punjab shall be treated as the territories which are to be comprised in the new Province of East Punjab.
- [[(3) *In this section, the expression "award" means, in relation to a boundary commission, the decision of the Chairman of that commission contained in his report to the Governor-General at the conclusion of the commission's proceedings.*]]

THE GOVERNOR-GENERAL OF THE NEW DOMINIONS

5. For each of the new Dominions, there shall be a Governor-General who shall be appointed by His Majesty and shall represent His Majesty for the purposes of the government of the Dominion:

[Provided that it shall be lawful for one person to hold both appointments of Governor-General for such period as may be determined by either Dominion after the appointed day.]⁹

[Provided that, unless and until provision to the contrary is made by a law of the Legislature of either of the new Dominions, the same person may be Governor-General of both the new Dominions.]

LEGISLATION FOR THE NEW DOMINIONS

6. (1) The Legislature of each of the new Dominions shall have full power to make laws for that Dominion, including laws having extra-territorial operation.

(2) No law and no provision of any law made by the Legislature of either of the new Dominions shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of *[this or]*¹⁰ any existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Legislature of each Dominion include the

power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of the Dominion.

(3) The Governor-General of each of the new Dominions shall have full power to assent in His Majesty's name to any law of the Legislature of that Dominion and so much of any Act as relates to the disallowance of laws by His Majesty or the reservation of laws for the signification of His Majesty's pleasure thereon or the suspension of the operation of laws until the signification of His Majesty's pleasure thereon shall not apply to laws of the Legislature of either of the new Dominions.

(4) No Act of Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to either of the new Dominions as part of the law of that Dominion [unless it is expressly declared in that Act that the Dominion has requested and consented to the passing thereof.]

[unless it is extended thereto by a law of the Legislature of the Dominion.]

(5) No Order in Council made on or after the appointed day under any Act passed before the appointed day, and no order, rule or other instrument made on or after the appointed day under any such Act by any United Kingdom Minister or other authority, shall extend, or be deemed to extend, to either of the new Dominions as part of the law of that Dominion.

(6) The power referred to in sub-section (1) of this section extends to the making of laws limiting for the future the powers of the Legislature of the Dominion.

CONSEQUENCES OF THE SETTING UP OF THE NEW DOMINIONS

7. (1) As from the appointed day—

- (a) His Majesty's Government in the United Kingdom have no responsibility as respects the government of any of the territories which, immediately before that day, were included in British India;
- (b) the suzerainty of His Majesty over the Indian States lapses, and with it,¹¹ all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of Indian States, all functions exercisable by His Majesty at that date with respect to Indian States, all obligations of His Majesty existing at that date towards Indian States or the rulers thereof, and all powers, rights, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise; and
- (c) there lapse also any treaties or agreements in force at the date of

the passing of this Act between His Majesty and any persons having authority in the tribal areas, any obligations of His Majesty existing at that date to any such persons or with respect to the tribal areas, and all powers, rights, authority or jurisdiction exercisable at that date by His Majesty in or in relation to the tribal areas by treaty, grant, usage, sufferance or otherwise.¹²

[Provided that, notwithstanding anything in paragraph (b) or paragraph (c) of this sub-section, effect shall, as nearly as may be, continue to be given to the provisions of any such agreement as is therein referred to which relate to customs, transit and communications, posts and telegraphs, or other like matters, until the provisions in question are denounced by the Ruler of the Indian State or person having authority in the tribal areas on the one hand, or by the Dominion or Province or other part thereof concerned on the other hand, or are superseded by subsequent agreements.]

(2) The assent of the Parliament of the United Kingdom is hereby given to the omission from the Royal Style and Titles of the words *Indiæ Imperator* and the words "Emperor of India" and to the issue by His Majesty for that purpose of His Royal Proclamation under the Great Seal of the Realm.

TEMPORARY PROVISION AS TO GOVERNMENT OF EACH OF THE NEW DOMINIONS

8. [(1) In the case of each of the new Dominions, the powers of the Legislature of the Dominion shall, in the first instance and so far as appears necessary for the purpose of establishing the fundamental laws thereof, be exercisable by the Constituent Assembly of that Dominion.]

[(1) In the case of each of the new Dominions, the powers of the Legislature of the Dominion shall, for the purpose of making provision as to the constitution of the Dominion, be exercisable in the first instance by the Constituent Assembly of that Dominion, and references in this Act to the Legislature of the Dominion shall be construed accordingly.]

(2) Except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under sub-section (1) of this section, each of the new Dominions and all Provinces and other parts thereof shall be governed as nearly as may be in accordance with the Government of India Act, 1935; and the provisions of that Act, and of the Orders in Council, rules and other instruments made thereunder, shall, so far as applicable, and subject to any express provisions of this Act, and with such omissions, additions, adaptations and modifications as may be specified in orders of

the Governor-General under the next succeeding section, have effect accordingly:

Provided that—

- (a) the said provisions shall apply separately in relation to each of the new Dominions and nothing in this sub-section shall be construed as continuing on or after the appointed day any Central Government or Legislature common to both the new Dominions;
- (b) nothing in this sub-section shall be construed as continuing in force on or after the appointed day any form of control by His Majesty's Government in the United Kingdom over the affairs of the new Dominions or of any Province or other part thereof;¹³
- (c) so much of the said provisions as requires the Governor-General or any Governor to act in his discretion or exercise his individual judgment as respects any matter shall cease to have effect as from the appointed day;
- (d) as from the appointed day, no Provincial Bill shall be reserved under the Government of India Act, 1935, for the signification of His Majesty's pleasure, and no Provincial Act shall be disallowed by His Majesty thereunder; and
- (e) the powers of the Federal Legislature or Indian Legislature under that Act, as in force in relation to each Dominion, shall, in the first instance, be exercisable by the Constituent Assembly of the Dominion [*in addition to the powers exercisable by that Assembly under sub-section (1) of this section.*]

(3) Any provision of the Government of India Act, 1935, which, as applied to either of the new Dominions by sub-section (2) of this section and the orders therein referred to, operates to limit the power of the Legislature of that Dominion shall, unless and until other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion in accordance with the provisions of sub-section (1) of this section, have the like effect as a law of the Legislature of the Dominion limiting for the future the powers of that Legislature.

ORDERS FOR BRINGING THIS ACT INTO FORCE

9. (1) The Governor-General shall by order¹⁴ make such provision as appears to him to be necessary or expedient—

- (a) for bringing the provisions of this Act into effective operation;
- (b) for dividing between the new Dominions, and ~~[[between]]~~ the new Provinces to be constituted under this Act, the powers, rights, property, duties and liabilities of the Governor-General

in Council¹⁵ or, as the case may be, of the relevant Provinces which, under this Act, are to cease to exist;¹⁶

- (c) for making omissions from, additions to, and adaptations and modifications of, the Government of India Act, 1935, and the Orders in Council, rules and other instruments made thereunder, in their application to the separate new Dominions;
- (d) for removing difficulties arising in connection with the transition to the provisions of this Act;
- [(e) *for authorising the carrying on of the business of the Governor-General in Council between the passing of this Act and the appointed day otherwise than in accordance with the provisions in that behalf of the Ninth Schedule to the Government of India Act, 1935;*
- (f) *for enabling agreements¹⁷ to be entered into, and other acts done, on behalf of either of the new Dominions before the appointed day;*
- (e) [(g)] *for authorising the continued carrying on for the time being on behalf of the new Dominions, or on behalf of any two or more of the said new Provinces, of services and activities previously carried on on behalf of British India as a whole or on behalf of the former Provinces which those new Provinces represent;*
- (f) [(h)] *for regulating the monetary system and any matters pertaining to the Reserve Bank of India;¹⁸ and*
- (g) [(i)] *so far as it appears necessary or expedient in connection with any of the matters aforesaid, for varying the constitution, powers or jurisdiction of any legislature, court or other authority in the new Dominions and creating new legislatures, courts or other authorities therein.*

(2) The powers conferred by this section on the Governor-General shall, in relation to their respective Provinces, be exercisable also by the Governors of the Provinces which, under this Act, are to cease to exist; and those powers shall, for the purposes of the Government of India Act, 1935, be deemed to be matters as respects which the Governors are, under that Act, to exercise their individual judgment.

(3) This section shall be deemed to have had effect as from the third day of June, nineteen hundred and forty-seven and any order of the Governor-General or any Governor made on or after that date as to any matter shall have effect accordingly, and any order made under this section may be made so as to be retrospective to any date not earlier than the said third day of June:

Provided that no person shall be deemed to be guilty of an offence by reason of so much of any such order as makes any provision thereof retrospective to any date before the making thereof.

(4) Any orders made under this section, whether before or after the appointed day, shall have effect—

- (a) up to the appointed day, in British India;
- (b) on and after the appointed day, in the new Dominion or Dominions concerned; and
- (c) outside British India, or as the case may be, outside the new Dominion or Dominions concerned, to such extent, whether before, on or after the appointed day, as a law of the Legislature of the Dominion or Dominions concerned would have on or after the appointed day, but shall, in the case of each of the Dominions, be subject to the same powers of repeal and amendment as laws of the Legislature of that Dominion.

(5) No order shall be made under this section, by the Governor of any Province, *after the appointed day, or, by the Governor-General, [after six months¹⁹ from the appointed day] [after the thirty-first day of March, nineteen hundred and forty-eight,] or such earlier date as may be determined,* in the case of either Dominion, by any law of the Legislature of that Dominion.

[(6) If it appears that a part of the Province of Assam is, on the appointed day, to become part of the new Province of East Bengal, the preceding provisions of this section shall have effect as if, under this Act, the Province of Assam was to cease to exist on the appointed day and be reconstituted on that day as a new Province.]

SECRETARY OF STATE'S SERVICES, ETC.

10. (1) The provisions of this Act keeping in force provisions of the Government of India Act, 1935, shall not continue in force the provisions of that Act relating to appointments to the civil services of, and civil posts under, the Crown in India by the Secretary of State, or the provisions of that Act relating to the reservation of posts.

[(2) Every person who, having been appointed by the Secretary of State, or Secretary of State in Council, to a civil service of the Crown in India, continues on and after the appointed day to serve under the Government of either of the new Dominions or of any Province or part thereof, shall be entitled²⁰ to receive from the Governments of the Dominions and Provinces or parts which he is from time to time serving the same conditions of service as respects remuneration, leave and pension and the same rights as respects disciplinary matters, or rights as similar thereto as changed

circumstances may permit, as that person was entitled to immediately before the appointed day.]²¹

[(2) Every person who—

- (a) *having been appointed by the Secretary of State, or Secretary of State in Council, to a civil service of the Crown in India continues on and after the appointed day to serve under the Government of either of the new Dominions or of any Province or part thereof; or*
- (b) *having been appointed by His Majesty before the appointed day to be a judge of the Federal Court or of any court which is a High Court within the meaning of the Government of India Act, 1935, continues on and after the appointed day to serve as a judge in either of the new Dominions, shall be entitled to receive from the Governments of the Dominions and Provinces or parts which he is from time to time serving or, as the case may be, which are served by the courts in which he is from time to time a judge, the same conditions of service as respects remuneration, leave and pension, and the same rights as respects disciplinary matters or, as the case may be, as respects the tenure of his office, or rights as similar thereto as changed circumstances may permit, as that person was entitled to immediately before the appointed day.]*

(3) Nothing in this Act shall be construed as enabling the rights and liabilities of any person with respect to the family pension funds vested in Commissioners under section two hundred and seventy-three of the Government of India Act, 1935, to be governed otherwise than by Orders in Council made (whether before or after the passing of this Act or the appointed day) by His Majesty in Council and rules made (whether before or after the passing of this Act or the appointed day) by a Secretary of State or such other Minister of the Crown as may be designated in that behalf by Order in Council under the Ministers of the Crown (Transfer of Functions) Act, 1946.

INDIAN ARMED FORCES

11. (1) The orders to be made by the Governor-General²² under the preceding provisions of this Act shall make provision for the division of the Indian armed forces of His Majesty between the new Dominions, and for the command and governance of those forces until the division is completed.

(2) As from the appointed day, while any member of His Majesty's forces, other than His Majesty's Indian forces, is attached to or serving with any of His Majesty's Indian forces—

- (a) he shall, subject to any provision to the contrary made by a law of the Legislature of the Dominion or Dominions concerned or by any order of the Governor-General under the

preceding provisions of this Act, have, in relation to the Indian forces in question, the powers of command and punishment appropriate to his rank and functions; but

- (b) nothing in any enactment in force at the date of the passing of this Act shall render him subject in any way to the law governing the Indian forces in question.

BRITISH FORCES IN INDIA

12. (1) Nothing in this Act affects the jurisdiction or authority of His Majesty's Government in the United Kingdom, or of the Admiralty, the Army Council, or the Air Council or of any other United Kingdom authority, in relation to any of His Majesty's forces which may, on or after the appointed day, be in either of the new Dominions or elsewhere in the territories which, before the appointed day, were included in India, not being Indian forces.

(2) In its application in relation to His Majesty's military forces, other than Indian forces, the Army Act shall have effect on or after the appointed day—

- (a) as if His Majesty's Indian forces were not included in the expressions "the forces", "His Majesty's forces" and "the regular forces"; and
- (b) subject to the further modifications specified in Parts I and II of the Third Schedule to this Act.

(3) Subject to the provisions of sub-section (2) of this section, and to any provisions of any law of the Legislature of the Dominion concerned, all civil authorities in the new Dominions, and, subject as aforesaid and subject also to the provisions of the last preceding section, all service authorities in the new Dominions, shall, in those Dominions and in the other territories which were included in India before the appointed day, perform in relation to His Majesty's military forces, not being Indian forces, the same functions as were, before the appointed day, performed by them, or by the authorities corresponding to them, whether by virtue of the Army Act or otherwise, and the matters for which provision is to be made by orders of the Governor-General under the preceding provisions of this Act shall include the facilitating of the withdrawal from the new Dominions and other territories aforesaid of His Majesty's military forces, not being Indian forces.

(4) The provisions of sub-sections (2) and (3) of this section shall apply in relation to the air forces of His Majesty, not being Indian air forces, as they apply in relation to His Majesty's military forces, subject, however, to the necessary adaptations, and, in particular, as if—

- (a) for the references to the Army Act there were substituted

- references to the Air Force Act; and
- (b) for the reference to Part II of the Third Schedule to this Act there were substituted a reference to Part III of that Schedule.

NAVAL FORCES

13. (1) In the application of the Naval Discipline Act to His Majesty's naval forces, other than Indian naval forces, references to His Majesty's navy and His Majesty's ships shall not, as from the appointed day, include references to His Majesty's Indian navy or the ships thereof.

(2) In the application of the Naval Discipline Act by virtue of any law made in India before the appointed day to Indian naval forces, references to His Majesty's navy and His Majesty's ships shall, as from the appointed day, be deemed to be and to be only, references to His Majesty's Indian navy and the ships thereof.

(3) In section ninety B of the Naval Discipline Act (which, in certain cases, subjects officers and men of the Royal Navy and Royal Marines to the law and customs of the ships and naval forces of other parts of His Majesty's dominions) the words "or of India" shall be repealed as from the appointed day, wherever those words occur.

PROVISIONS AS TO THE SECRETARY OF STATE AND THE AUDITOR OF INDIAN HOME ACCOUNTS

14. (1) A Secretary of State, or such other Minister of the Crown as may be designated in that behalf by Order in Council under the Ministers of the Crown (Transfer of Functions) Act, 1946, is hereby authorised to continue for the time being the performance, on behalf of whatever government or governments may be concerned, of functions as to the making of payments and other matters similar to the functions which, up to the appointed day, the Secretary of State was performing on behalf of governments constituted or continued under the Government of India Act, 1935.²³

(2) The functions referred to in sub-section (1) of this section include functions as respects the management of, and the making of payments in respect of, government debt, and any enactments relating to such debt shall have effect accordingly:

Provided that nothing in this sub-section shall be construed as continuing in force so much of any enactment as empowers the Secretary of State to contract sterling loans on behalf of any such Government as aforesaid or as applying to the Government of either of the new Dominions the prohibition imposed on the Governor-General in Council by section three hundred and fifteen of the Government of India Act, 1935, as respects the contracting of sterling loans.

(3) As from the appointed day, there shall not be any such advisers

of the Secretary of State as are provided for by section two hundred and seventy-eight of the Government of India Act, 1935, and that section, and any provisions of that Act which require the Secretary of State to obtain the concurrence of his advisers, are hereby repealed as from that day.

(4) The Auditor of Indian Home Accounts is hereby authorised to continue for the time being to exercise his functions as respects the accounts of the Secretary of State or any such other Minister of the Crown as is mentioned in sub-section (1) of this section, both in respect of activities before, and in respect of activities after, the appointed day, in the same manner, as nearly as may be as he would have done if this Act had not passed.

LEGAL PROCEEDINGS BY AND AGAINST THE SECRETARY OF STATE

15. (1) Notwithstanding anything in this Act, and, in particular, notwithstanding any of the provisions of the last preceding section, any provision of any enactment which, but for the passing of this Act, would authorise legal proceedings to be taken, in India or elsewhere, by or against the Secretary of State in respect of any right or liability of India or any part of India shall cease to have effect on the appointed day, and any legal proceedings pending by virtue of any such provision on the appointed day shall, by virtue of this Act, abate on the appointed day, so far as the Secretary of State is concerned.

(2) Subject to the provisions of this sub-section, any legal proceedings which, but for the passing of this Act, could have been brought [outside the new Dominions] by or against the Secretary of State in respect of any right or liability of India, or any part of India, shall instead be brought [by or against the High Commissioner, and any legal proceedings which, immediately before the appointed day, are pending outside India by or against the Secretary of State in respect of any such right or liability shall be continued by or against the High Commissioner.

Provided that the right to bring or continue proceedings by or against the High Commissioner conferred by this sub-section may, at any time after the appointed day, be withdrawn by a law of the Legislature of either of the new Dominions so far as that Dominion is concerned, and any such law may operate as respects proceedings pending at the date of the passing of the law.]

[(2) Subject to the provisions of this sub-section, any legal proceedings which, but for the passing of this Act, could have been brought by or against the Secretary of State in respect of any right or liability of India, or any part of India, shall instead be brought—

- (a) *in the case of proceedings in the United Kingdom, by or against the High Commissioner;*
- (b) *in the case of other proceedings, by or against such person as may be designated by an order of the Governor-General under the preceding provisions of this Act or otherwise by the law of the new Dominion concerned;*

and any legal proceedings by or against the Secretary of State in respect of any such right or liability as aforesaid which are pending immediately before the appointed day shall be continued by or against the High Commissioner or, as the case may be, the person designated as aforesaid;

Provided that, at any time after the appointed day, the right conferred by this sub-section to bring or continue proceedings may, whether the proceedings are by, or are against, the High Commissioner or the person designated as aforesaid, be withdrawn by a law of the Legislature of either of the new Dominions so far as that Dominion is concerned, and any such law may operate as respects proceedings pending at the date of the passing of the law.]

(3) In this section, the expression "the High Commissioner" means, in relation to each of the new Dominions, any such officer as may for the time being be authorised to perform in the United Kingdom, in relation to that Dominion, functions similar to those performed before the appointed day, in relation to the Governor-General in Council, by the High Commissioner referred to in section three hundred and two of the Government of India Act, 1935. *[and any legal proceedings which, immediately before the appointed day, are the subject of an appeal to His Majesty in Council, or of a petition for special leave to appeal to His Majesty in Council, shall be treated for the purposes of this section as legal proceedings pending in the United Kingdom.]*

ADEN

16. (1) Sub-sections [(1)] [(2)] to (4) of section two hundred and eighty-eight of the Government of India Act, 1935 (which confer on His Majesty power to make by Order in Council provision for the government of Aden) shall cease to have effect and the British Settlements Acts, 1887 and 1945, (which authorise His Majesty to make laws and establish institutions for British Settlements as defined in those Acts) shall apply in relation to Aden as if it were a British Settlement as so defined.

(2) Notwithstanding the repeal of the said sub-sections [(1)] [(2)] to (4), the Orders in Council in force thereunder at the date of the passing of this Act shall continue in force, but the said Orders in Council, any other Orders in Council made under the Government of India Act, 1935, in so far as they apply to Aden, and any enactments applied to

Aden or amended in relation to Aden by any such Orders in Council as aforesaid, may be repealed, revoked or amended under the powers of the British Settlements Acts, 1887 and 1945.

(3) Unless and until provision to the contrary is made as respects Aden under the powers of the British Settlements Acts, 1887 and 1945, or, as respects the new Dominion in question, by a law of the Legislature of that Dominion, the provisions of the said Orders in Council and enactments relating to appeals from any courts in Aden to any courts which will, after the appointed day, be in either of the new Dominions, shall continue in force in their application both to Aden and to the Dominion in question, and the last mentioned courts shall exercise their jurisdiction accordingly.

DIVORCE JURISDICTION

17. (1) No court in either of the new Dominions shall, by virtue of the Indian and Colonial Divorce Jurisdiction Acts, 1926 and 1940, have jurisdiction in or in relation to any proceedings for a decree for the dissolution of a marriage, unless those proceedings were instituted before the appointed day, but, save as aforesaid and subject to any provision to the contrary which may hereafter be made by any Act of the Parliament of the United Kingdom or by any law of the Legislature of the new Dominion concerned, all courts in the new Dominions shall have the same jurisdiction under the said Acts as they would have had if this Act had not been passed.

(2) Any rules made on or after the appointed day under sub-section (4) of section one of the Indian and Colonial Divorce Jurisdiction Act, 1926, for a court in either of the new Dominions shall, instead of being made by the Secretary of State with the concurrence of the Lord Chancellor, be made by such authority as may be determined by the law of the Dominions concerned and so much of the said sub-section and of any rules in force thereunder immediately before the appointed day as require the approval of the Lord Chancellor to the nomination for any purpose of any judges of any such court shall cease to have effect.

(3) The reference in sub-section (1) of this section to proceedings for a decree for the dissolution of a marriage include references to proceedings for such a decree of presumption of death and dissolution of a marriage as is authorised by section eight of the Matrimonial Causes Act, 1937.

(4) Nothing in this section affects any court outside the new Dominions, and the power conferred by section two of the Indian and

Colonial Divorce Jurisdiction Act, 1926, to apply certain provisions of that Act to other parts of His Majesty's dominions as they apply to India shall be deemed to be power to apply those provisions as they would have applied to India if this Act had not [been] passed.

PROVISIONS AS TO EXISTING LAWS, ETC.

18. (1) In so far as any Act of Parliament, Order in Council, order, rule, regulation or other instrument passed or made before the appointed day operates otherwise than as part of the law of British India or the new Dominions, references therein to India or British India, however worded and whether by name or not, shall, in so far as the context permits and except so far as Parliament may hereafter otherwise provide, be construed as, or as including, references to the new Dominions, taken together, or taken separately, according as the circumstances and subject matter may require:

Provided that nothing in this sub-section shall be construed as continuing in operation any provision in so far as the continuance thereof as adapted by this sub-section is inconsistent with any of the provisions of this Act other than this section.

(2) Subject to the provisions of sub-section (1) of this section and to any other express provision of this Act, the Orders in Council made under sub-section (5) of section three hundred and eleven of the Government of India Act, 1935, for adapting and modifying Acts of Parliament shall, except so far as Parliament may hereafter otherwise provide, continue in force in relation to all Acts in so far as they operate otherwise than as part of the law of British India or the new Dominions.

(3) Save as otherwise expressly provided in this Act, the law of British India and of the several parts thereof existing immediately before the appointed day shall, so far as applicable and with the necessary adaptations, continue as the law of each of the new Dominions and the several parts thereof until other provision is made by laws of the Legislature of the Dominion in question or by any other Legislature or other authority having power in that behalf.

(4) It is hereby declared that the Instruments of Instructions issued before the passing of this Act by His Majesty to the Governor-General and the Governors of Provinces lapse as from the appointed day, and nothing in this Act shall be construed as continuing in force any provision of the Government of India Act, 1935, relating to such Instruments of Instructions.

(5) As from the appointed day, so much of any enactment

as requires the approval of His Majesty in Council to any rules of court shall not apply to any court in either of the new Dominions.

INTERPRETATION, ETC.

19. (1) References in this Act to the Governor-General shall, in relation to any order to be made or other act done on or after the appointed day, be construed—

- (a) where the order or other act concerns one only of the new Dominions, as references to the Governor-General of that Dominion;
- (b) where the order or other act concerns both of the new Dominions and the same person is the Governor-General of both those Dominions, as references to that person; and
- (c) in any other case, as references to the Governors-General of the new Dominions, acting jointly.

(2) References in this Act to the Governor-General shall, in relation to any order to be made or other act done before the appointed day, be construed as references to the Governor-General of India within the meaning of the Government of India Act, 1935, and so much of that or any other Act as requires references to the Governor-General to be construed as references to the Governor-General in Council shall not apply to references to the Governor-General in this Act.

(3) References in this Act to the Constituent Assembly of a Dominion shall be construed as references—²⁴

- (a) in relation to India, to the Constituent Assembly, the first sitting whereof was held on the ninth day of December, nineteen hundred and forty-six, modified—
 - (i) by the exclusion of the members representing Bengal, the Punjab, Sind and British Baluchistan ; and
 - (ii) should it appear that the North West Frontier Province will form part of Pakistan, by the exclusion of the members representing that Province; and
 - [(iii) should it appear that the Province of Assam constituted under the Government of India Act, 1935, is to cease to exist under this Act, by the exclusion of the members representing that Province; and
 - (iv) by the inclusion of members representing West Bengal, East Punjab and, if there is to be such a Province, the new Province of Assam];
 - [(iii) *by the inclusion of members representing West Bengal and East Punjab; and*

(iv) *should it appear that, on the appointed day, a part of the Province of Assam is to form part of the new Province of East Bengal, by the exclusion of the members theretofore representing the Province of Assam and the inclusion of members chosen to represent the remainder of that Province;*

(b) *in relation to Pakistan, to the Assembly set up or about to be set up at the date of the passing of this Act under the authority of the Governor-General as the Constituent Assembly for Pakistan:*

Provided that nothing in this sub-section shall be construed as affecting the extent to which representatives of the Indian States take part in either of the said Assemblies, or as preventing the filling of casual vacancies in the said Assemblies, or as preventing the participation [of representatives of the tribal areas²⁵ in either of the said Assemblies in accordance with such arrangements as may be made in that behalf.]

[in either of the said Assemblies, in accordance with such arrangements as may be made in that behalf, of representatives of the tribal areas on the borders of the Dominion for which that assembly sits, and the powers of the said Assemblies shall extend and be deemed always to have extended to the making of provision for the matters specified in this proviso.]

(4) *In this Act, except so far as the context otherwise requires—*

[[References to the Government of India Act, 1935, include references to any enactments amending or supplementing that Act, and, in particular, references to the India (Central Government and Legislature) Act, 1946;]]

"India", where the reference is to a state of affairs existing before the appointed day or which would have existed but for the passing of this Act, has the meaning assigned to it by section three hundred and eleven of the Government of India Act, 1935;

"Indian forces" includes all His Majesty's Indian forces existing before the appointed day and also any forces of either of the new Dominions;

"Province" means a Governor's Province;

"remuneration" includes leave pay, allowances and the cost of any privileges or facilities provided in kind;

"pension" means, in reference to any person, a pension, whether contributory or not, of any kind whatsoever payable to or in respect of that person, and includes retired pay so payable, a gratuity so payable and any sum or sums so payable by way of

the return, with or without interest thereon or other additions thereto, of subscriptions to a provident fund.

- (5) Any power conferred by this Act to make any order includes power to revoke or vary any order previously made in the exercise of that power.

SHORT TITLE

20. This Act may be cited as the India^{2h} Independence Act, 1947.

[REFERENCE] SECTION 3

FIRST SCHEDULE²⁷

BENGAL DISTRICTS PROVISIONALLY INCLUDED IN THE NEW PROVINCE OF EAST BENGAL

In the Chittagong Division, the districts of Chittagong, Noakhali and Tippera.

In the Dacca Division, the districts of Bakarganj, Dacca, Faridpur and Mymensingh.

In the Presidency Division, the districts of Jessore, Murshidabad and Nadia.

In the Rajshahi Division, the districts of Bogra, Dinajpur, Malda, Pabna, Rajshahi and Rangpur.

[REFERENCE] SECTION 4

SECOND SCHEDULE²⁸

DISTRICTS PROVISIONALLY INCLUDED IN THE NEW PROVINCE OF WEST PUNJAB

In the Lahore Division, the districts of Gujranwala, Gurdaspur, Lahore, Sheikhpura and Sialkot.

In the Rawalpindi Division, the districts of Attock, Gujrat, Jhelum, Mianwali, Rawalpindi and Shahpur.²⁹

In the Multan Division, the districts of Dera Ghazi Khan, Jhang, Lyallpur,³⁰ Montgomery,³¹ Multan and Muzaffargarh.

[REFERENCE] SECTION 12

THIRD SCHEDULE

MODIFICATIONS OF ARMY ACT AND AIR FORCE ACT IN RELATION TO BRITISH FORCES

PART I

MODIFICATIONS OF ARMY ACT APPLICABLE ALSO TO AIR FORCE ACT

1. The proviso to section forty-one (which limits the jurisdiction of courts martial) shall not apply to offences committed in either of the new Dominions or in any of the other territories which were included in India before the appointed day.

2. In section forty-three (which relates to complaints), the words

"with the approval of the Governor-General of India in Council" shall be omitted.

3. In sub-sections (8) and (9) of section fifty-four (which, amongst other things, require certain sentences to be confirmed by the Governor-General in Council) the words "India or", the words "by the Governor-General, or, as the case may be" and the words "In India, by the Governor-General, or if he has been tried" shall be omitted.

4. In sub-section (3) of section seventy-three (which provides for the nomination of officers with power to dispense with courts martial for desertion and fraudulent enlistment) the words "with the approval of the Governor-General" shall be omitted.

5. The powers conferred by sub-section (5) of section one hundred and thirty (which provides for the removal of insane persons) shall not be exercised except with the consent of the officer commanding the forces in the new Dominions.

6. In sub-section (2) of section one hundred and thirty-two (which relates to rules regulating service prisons and detention barracks) the words "and in India for the Governor-General" and the words "the Governor-General" shall be omitted except as respects rules made before the appointed day.

7. In the cases specified in sub-section (1) of section one hundred and thirty-four, inquests shall be held in all cases in accordance with the provisions of sub-section (3) of that section.

8. In section one hundred and thirty-six (which relates to deductions from pay), in sub-section (1) the words "India or" and the words "being in the case of India a law of the Indian legislature", and the whole of sub-section (2) shall be omitted.

9. In paragraph (4) of section one hundred and thirty-seven (which relates to penal stoppages from the ordinary pay of officers), the words "or in the case of officers serving in India the Governor-General" the words "India or" and the words "for India, or, as the case may be" shall be omitted.

10. In paragraph (12) of section one hundred and seventy-five and paragraph (11) of section one hundred and seventy-six (which apply the Act to certain members of His Majesty's Indian Forces and to certain other persons) the word "India" shall be omitted wherever it occurs.

11. In sub-section (1) of section one hundred and eighty (which provides for the punishment of misconduct by civilians in relation to courts martial) the words "India or" shall be omitted wherever they occur.

12. In the provisions of section one hundred and eighty-three relating to the reduction in rank of non-commissioned officers, the words

"with the approval of the Governor-General" shall be omitted in both places where they occur.

PART II MODIFICATIONS OF ARMY ACT

Section 184B (which regulates relations with the Indian Air Force) shall be omitted.

PART III MODIFICATIONS OF AIR FORCE ACT

1. In section 179D (which relates to the attachment of officers and airmen to Indian and Burma Air Forces), the words "by the Air Council and the Governor-General of India, or, as the case may be", and the words "India or", wherever those words occur, shall be omitted.

2. In section 184B (which regulates relations with Indian and Burma Air Forces) the words "India or" and the words "by the Air Council and the Governor-General of India or, as the case may be", shall be omitted.

[[3. Sub-paragraph (e) of paragraph (4) of section one hundred and ninety (which provides that officers of His Majesty's Indian Air Force are to be officers within the meaning of the Act) shall be omitted.]]

¹Underlined here and subsequently by Jinnah.

²Replaced by the word "Excellent" in No. 428, TP, XI, 781.

³The ML proposed that the territories of the Dominion of India be defined in the same manner as were those of Pakistan. They also laid a claim to Andaman and Nicobar Islands. See Annex I, para 5, clause 2 (1) and Annex III, clause 2.

⁴Marginal note "Subject to sub-section 3" made by Jinnah.

⁵Query "what day" made in the margin by Jinnah.

⁶It was argued by the ML that the Partition Council had agreed that for conclusively determining the boundaries, the Boundary Commission would present not a report but an award. See Annex I, para 1, clause 3 (3). The ML also urged that provision be made in the Bill for "making the awards of the Boundary Commissions final and binding on the two Dominions". See Annex III, clauses 3 and 4.

⁷The words "by agreement" were encircled in the original by Jinnah who also noted the words "NB" in the margin.

⁸See note 6 above.

⁹This proviso was inserted on the express desire of Mountbatten because he did "not want to appear that if I stay I have in any way been forced on the political parties." See No. 366, TP, XI, 674-5. Also see Appendix I. 1.

¹⁰The words "this or" were marginally noted by Jinnah. The ML in their comments asked for suitable amendments to empower the Dominion legislatures "to pass any Act which may be repugnant to the provisions of the India[n] Independence Act or repeal this Act." See Annex III, clause 6(2), and No. 452, TP, XI, 818-9. The Congress had, even before the draft Bill was shown to Indian leaders, insisted on reinsertion of the words "this or" which had been deleted earlier. See Nos. 414 and 421, minute 3, *ibid.*, 754-5, and 771-2, respectively.

¹¹The word "lapse" noted in the margin in the original by Jinnah.

¹²The word "proviso" noted in the margin in the original by Jinnah.

¹³The words "save or except" noted in the margin of this sub-para in the original by Jinnah.

¹⁴The ML stressed that after the appointed day the Governor-General will not exercise his

powers on the advice of ministers but in his individual judgement. See Annex I, clause 9 (1) and Annex III, clauses 9 and 11.

¹⁵The words "Gov[ernor]-Gen[eral]" noted in the margin in the original by Jinnah, who also sidelined the entire sub-para (b).

¹⁶The sentence "this includes such part of 1935 Act as is incorporated herein till new Constitution is finally framed by the P[akistan] C[onstituent] Assembly" noted in the margin of sub-paras (a) and (b) in the original by Jinnah.

¹⁷For enforcing "orders of the Governor-General or arbitral awards dividing property between the two Dominions" the ML desired HMG to assume responsibility by inserting a suitable clause. See No. 452, TP, XI, 819. Also see Annex I. In the published Bill a new clause 9 (1) (f) was inserted. See Enclosure 1.

¹⁸At the begining of sub-clause 1(b), 1(e), and 1(f) of clause 9 the word "joint" noted by Jinnah.

¹⁹The italicised portion was sidelined and figure "6" written in the margin in the original by Jinnah. The ML was agreeable to the extension of the post-appointed day period to eight months from six. See Annex II (i), clause 9 (5).

²⁰The words "Guarantee" and "Scales of pay" noted in the margin in the original by Jinnah.

²¹The ML expressed the view that the guarantee conferred was wider than the relevant decision of the Interim Government. See Annex II (ii), clause 10 (2).

²²See note 14.

²³Listowel had asked Mountbatten to obtain assurances from Indian leaders of their agreement to the continuation of payments after transfer of power by the Secretary of State on behalf of the successor Dominion Governments. See No. 271, clause 13, TP, XI, 525. Also see Enclosure 3, IV, clause 14 and Annex II (iv).

²⁴Tick-marks here and in clauses 1 (1), 2 (3), 2 (3) (a), 3 (2) (b), 3 (3) (c), 6 (2), 7 (1) (c), 8 (2), 8 (3), 9 (1), 10 (2), 18 (1), were made in the original by Jinnah.

²⁵See Annex III, clause 19 (3) Proviso.

²⁶Jinnah, it appears, was not happy about the title of the Act and noted the following alternatives in the document: the Indian Peoples' Independence Act; India Freedom Act; or India and Pakistan Independence Act, observing that "the word India means only one dominion". The title, however, remained unaltered.

²⁷This schedule listed the Muslim majority districts of Bengal. See Appendix to No. 1, Vol. II, 6.

²⁸This schedule listed the Muslim majority districts of the Punjab. See *ibid*.

²⁹Now called Sargodha.

³⁰Now called Faisalabad.

³¹Now called Sahiwal.

Enclosure 2 to No. 1

F. 4/132-5

SECRET

THE INDIAN INDEPENDENCE BILL NOTES ON CLAUSES¹

Clause 1: The independent status of the two new Dominions of India and Pakistan is expressly recognised. The names are as desired by Congress and Muslim League respectively.

Clause 2: The territories of the two new Dominions are defined. Pakistan will comprise the Province of East Bengal, West Punjab, Sind and British Baluchistan, and, if the referendum shortly to be held in

the N.W.F.P. results in favour of that Province joining Pakistan, also that Province. The Dominion of India will comprise the rest of what is now "British India".²

Sub-clause (3) makes it clear that either Dominion may take in any area not included in it, e.g., as a result of the boundary adjustments which may have to be made after the 15th August in the light of the reports of the boundary commissions, or an Indian State which agrees to join that Dominion, and also that no area forming part of a Dominion now or hereafter can be excluded from it without the consent of that Dominion.

Clauses 3 and 4: These two clauses give effect to the proposals in the Statement of June 3rd³ regarding the division of Bengal and the Punjab, the amalgamation of Sylhet District with East Bengal, and the final settlement of boundaries of the new Provinces, upon the basis of reports of boundary commissions to be appointed in that behalf. The constitution of the new Provinces will take effect from the same day as the establishment of the new Dominions.

Clause 5: It is a *sine qua non* of dominion status that there should be a Governor-General appointed by His Majesty. From the description of the two new States as "independent Dominions" it follows that their Governors-General will be appointed by His Majesty on advice from the respective Dominion Governments.

The intention of the proviso is to enable the present Governor-General to continue in office if he agrees and if so requested by appropriate representatives of India and Pakistan and for so long as they desire that he should stay.

Clause 6: This is the pivotal provision in the Bill establishing beyond doubt or dispute the sovereign character of the Legislature of each of the new Dominions and giving them the fullest measure of independence.

Sub-clauses (2), (4) and (5) remove every possible element of subordination to, or dependence on, the Parliament of the United Kingdom. In particular, the power to amend or repeal any existing or future Act of Parliament, in so far as it affects the Dominion, constitutes a complete and unreserved transfer of sovereign power.

Sub-clause (6) is inserted to show that the Constituent Assembly for each Dominion can constitute a federation by voluntarily limiting its own plenary power as the Legislature for the Dominion and giving autonomy to Provincial Legislatures in respect of particular subjects. See also notes on Clause 8 below.

Clause 7: Sub-clause (1) is divided into three parts. Paragraph (a) makes the obviously necessary provision that with the transfer of

power to Indian hands, H.M.G. will have no responsibility regarding the government of British India.

Paragraphs (b) and (c) give statutory recognition to the implications of the Statement of May 16th, 1946,⁴ and the Memorandum on States' Treaties and Paramountcy presented by the Cabinet Mission on the 12th May 1946.⁵

Clause 8: The effect of sub-clause (1) and paragraph (e) of the proviso to sub-clause (2) is to distinguish between the constitution-making functions of the Constituent Assembly and its ordinary legislative functions. When the Constituent Assembly functions as the central legislature of the Dominion (but not when it functions "for the purpose of establishing fundamental laws" of the Dominion) it will be bound by the existing distribution of legislative power between the Centre and the Provinces. When it functions as the Central Legislature it will have all the powers of the Indian Legislature under the existing constitution, e.g., the power to put questions to the Government, pass resolutions, consider and pass the budget, etc.

Sub-clause (2) of clause 8, read with paragraph (c) of sub-clause (1) of clause 9, is of great practical importance. These provisions enable the Governor-General to "adapt" the Government of India Act, 1935, separately for the immediate needs of each of the two Dominions, and thereby to provide a workable constitution until such time as the Constituent Assembly of the Dominion concerned finishes its labours and the constitution devised by that body is put into operation. This latter procedure will necessarily take time, and during the interim period it is essential to have a constitution that will be readily ascertainable.

It will be noticed that paragraph (c) of the proviso to sub-clause (2) expressly abrogates the discretionary and "individual judgment" functions of the Governor-General and Governors under the Government of India Act, 1935. On and after the 15th August they will act only on the advice of their ministers.

Clause 9: This again is an important provision from the practical point of view. The adaptation of the existing constitution for the needs of the two Dominions from the date of partition is only one of the several difficult and complex matters arising out of the partition for which statutory provision has to be made. Sub-clause (1) confers on the Governor-General the power to make such statutory orders as may be necessary or expedient for removing difficulties, arising in connection with the transition and for the other matters mentioned in the sub-clause. This power has necessarily to be conferred in wide and general terms.

Sub-clause (2) confers concurrent power on the Governors of Bengal and the Punjab, and also Assam if that Province is to be divided, to make orders of the nature specified in sub-clause (1) in regard to their respective Provinces. In practice the Governors will only be concerned in paragraphs (b), (e) and (g) of the sub-clause, and the period during which they can exercise the power will only be from the date of the passing of the Act to the 15th August—*vide* sub-clause (5).

Sub-clause (3) enables orders to be made under sub-clause (1) with retrospective effect, but to a date not earlier than the 3rd June. This is necessary because it may not be possible to make all the requisite orders in time, and some defect or omission may come to light later, requiring rectification with retrospective effect.

Sub-clause (5) enables the Governor-General to make the orders from the date of passing of the Act until the expiry of six months from the appointed day, that is, until the 15 February 1948. This period can be curtailed at any time after the 15th August by a law of the legislature of the Dominion concerned.

Clause 10: Sub-clause (1) expressly repeals the provisions of the Government of India Act, 1935, relating to the Secretary of State's services and the reservation of posts for members of those services.

Sub-clause (2) gives statutory effect to the guarantee already given by the present Government of India to those officers of the Secretary of State's services who continue in service after the transfer of power. It has been included in this Bill at the request of the Interim Government and its terms are subject to their express concurrence.

Sub-clause (3) is a formal provision saving the continued operation of section 273 of the Government of India Act, 1935. Certain family pension funds, the beneficiaries of which are almost entirely British, have already been separated and vested in Commissioners in the United Kingdom. The successor Governments in this country are not materially concerned in the continuance in force of section 273 as the law of the United Kingdom.

Clauses 11 to 13 and the Third Schedule: Sub-clause (1) of Clause 11 provides for the division of the Indian Armed Forces between the two new Dominions and for carrying on the command and governance of these forces until the division is completed. Sub-clause (2) makes the necessary provision for the British personnel of the Indian Army who may continue to be attached to or serve with, that Army after the date of transfer of power. The other clauses make necessary and consequential provisions in regard to the British naval, military and air forces in India which will continue to be here for a short period.

Clause 14: There is a separate note on this.⁹

Clause 15: Under certain provisions of the Government of India Act, 1935, it is at present possible to sue the Secretary of State for India in respect of a liability of the Government of India or of a Province thereof. There are in fact a considerable number of such legal proceedings, and some of them will be pending in the courts on the date of transfer. The above mentioned provisions also enable legal proceedings to be brought in the United Kingdom against the Secretary of State in respect of the same liabilities. This clause makes the necessary provision for the abatement or, as the case may be, continuance of proceedings of this type so far as the Secretary of State is concerned and for the substitution of the High Commissioner in his place. The latter provision is made subject to any laws the new Dominion may hereafter enact.

Clause 16: This relates to Aden and is not of any great importance either to India or to Pakistan. The Bombay High Court exercises appellate jurisdiction over certain courts in Aden and this jurisdiction is continued by sub-clause (3) until provision to the contrary is made by a Dominion law.

Clause 17: The effect of this clause is that the existing arrangements for the exercise of divorce jurisdiction by Indian High Courts under the Indian and Colonial Divorce Jurisdiction Act of the United Kingdom will come to an end. Pending cases will, however, continue until they are disposed of.

Clause 18: Sub-clause (3) provides for the continuance of the existing laws of British India as the law of each of the new Dominions subject to necessary adaptations. The other provisions of this clause are formal and consequential.

Clauses 19 and 20 require no comments.

¹For the ML comments on the Bill see Annexes I, II & III, and for Congress comments see Annex IV.

²Clauses 1 and 2 sidelined in the original by Jinnah.

³No. 1, Vol. II, 1-6.

⁴Appendix III. 1, Vol. I, Part II, 32-42.

⁵Appendix X, *ibid.*, 479-81.

⁶See Enclosure 3, IV, clause 14.

Enclosure 3 to No. 1

F. 4/138-41

SECRET

THE INDIAN INDEPENDENCE BILL POINTS FOR DISCUSSION

The following points are for discussion with leaders:

I. *Assumption by the New Dominions of International Obligations.*

The position under international law is *understood to be*¹ that the new Dominion of India will *continue the international*² personality of the *existing India*,³ and as such, assets of the *present Government of India outside the country will pass to the Dominion of India*. This, however, will not in any way prejudice the inclusion of those assets in the *equitable division of all assets and liabilities of the present Government of India between the new Dominions*. The further question remains as to the *assumption by the new Dominions of international obligations under treaties*

- (a) which were concluded expressly on behalf of the present India, and
- (b) which were concluded in the name of His Majesty or His Majesty's Government but which are applicable to the present India.

2. Since as stated above, the new Dominion of India continues the international personality of the present India, she will *prima facie*⁴ inherit all India's existing international treaty obligations, that is, both (a) and (b) above. But it is clear that she cannot be bound in international law by those obligations which by their nature can only be carried out in territory not belonging to her or under her control. Some obligations, for instance those relating to frontiers, run with land and consequently pass to the future sovereign of the land whoever he may be. There are also other treaty obligations which can only be performed in the future Dominion of Pakistan and as to which it is perhaps more open to question whether they pass to the Government of that Dominion by automatic operation of law. The former obligations *must*⁵ apparently pass to whatever successor authority becomes responsible for the territory in question, and the latter obligations *should*⁶ also pass to that authority.

3. When the other Dominions of the British Commonwealth became international persons, they and all the parties concerned accepted without question the position not only that the Dominions inherited all treaty rights and obligations which had any local or territorial application, but also claimed the benefits, and accepted the obligations, of treaties whose provisions applied territorially to the whole Commonwealth and from which all British subjects benefited in foreign countries. It is suggested that the Dominions of India and Pakistan will similarly inherit all treaty rights and obligations which have local or territorial application.

4. The question arises more particularly in connection with treaties concluded in the name of His Majesty or of His Majesty's Government,

most of whose stipulations can only be fulfilled in India or can only be wholly fulfilled if the successor Government or Governments concerned observe them. Examples are Anglo-Afghan Treaty, 1921, Anglo-Tibetan Treaty, 1914, and the Anglo-Nepali Treaty, 1933.

5. It is for consideration whether the leaders could give an assurance to the effect that the Dominion Governments when set up will consider themselves as the successors to all treaty rights and obligations in the sense indicated above.

II. Orders for Bringing the Act into Force (Clause 9)

It will be noted that under sub-clause (5) of Clause 9, the Governor-General's power to make orders under that Clause continues for a period of six months from the appointed day, unless it is curtailed by a law of either Dominion Legislature.

2. It is possible, (especially in view of the fact that the Reconstitution of the Armed Forces will probably not be complete until 1st April 1948), that six months may not be a sufficiently long period.

3. It is for consideration whether this period should not be increased now to, say, eight or nine months. It is pointed out that the chosen period can easily be curtailed after the passing of the Act, whereas it could not be extended.

III. Guarantee to Members of Secretary of State's Services who Continue in Service

In Clause 10 (2) of the Bill the statutory guarantee is given only to members of the Secretary of State's Services who continue in service after the transfer of power. This was based on the decision of the Interim Government. The terms of the draft clause are subject to the express concurrence of the leaders.

2. It is however pointed out that to give a statutory guarantee of this kind to members of the Secretary of State's Services and not to give a similar guarantee to Judges of the Federal Court and the High Courts who may also continue in service seems to be highly anomalous. It is suggested that the guarantee may appropriately be extended to these Judges. If the leaders agree, an appropriate amendment could be made in Clause 10 (2) of the Bill before introduction.

IV. Clause 14

The Secretary of State for India and the High Commissioner for India in the United Kingdom, between them, discharge certain financial functions on behalf of the Government of India and the Provincial Governments. These are broadly in regard to the management of the

Government debt and the making of payments in respect of that debt, and the meeting of claims in the United Kingdom on the Government of India and the Provincial Governments, including the paying of salaries and pensions, to or in respect of persons who are or have been in the service of the Crown in India. Provision has to be made in one form or another for the continued performance of these functions on and after the appointed day, when the Secretary of State for India will cease to function and each of the new Dominions will appoint its own High Commissioner.

2. Without an express authorisation by an Act of Parliament, H.M.G. cannot make payments on behalf of the new Dominion Governments, although there may be no doubt as to the latter subsequently accepting liability and agreeing to reimburse H.M.G. the payments so made. Clause 14 accordingly authorises a S/S [Secretary of State] or other Minister to continue to make payments on account of (i) existing sterling debt of India, and (ii) remuneration, pensions, etc., payable to service personnel. The question of the ultimate incidence of the liability is intended to be subsequently settled by H.M.G. with the two Dominion Governments.

3. It was at first proposed that the clause in the Bill should refer expressly to the High Commissioner and authorise him jointly with a S/S to continue meeting payments on behalf of both Dominions in the anomalous situation which must continue for a short period until adequate provision is made by the Dominion Legislatures. That would have assured those who are accustomed to draw these payments in the United Kingdom that the existing machinery for such payments will continue. It was however felt that it would not be appropriate to impose duties on the Dominion High Commissioners in this fashion by Statute.

4. H.M.G. are prepared to omit the reference to the High Commissioner and confine the provision to a S/S or other Minister (as in the draft clause) provided an assurance can be obtained from leaders that they agree that the High Commissioner and the S/S should continue to discharge these *functions and that the*⁷ Dominions will undertake to continue to provide the necessary funds. H.M.G. desire an assurance in this respect which can be quoted in Parliament.

^{1&2}Underlined or otherwise marked in the document by Jinnah.

³Since two independent dominions were being set up as successors to British India, the ML contested the view that the Dominion of India alone would be the successor to the existing India in the international sphere. See No. 17, *General*.

^{4,5&6}Underlined in the original.

⁷See note 1 above.

Annex 1 to No. 1
Louis Mountbatten to the Earl of Listowel
Telegram, IOR, R/3/1/154

SECRET/IMMEDIATE
No. 1695-S

NEW DELHI,
2 July 1947 (7.30 p.m.)

Following is note of points on which objection was raised informally by Muslim League at meeting this morning. Both parties will present comments to me tomorrow morning.

Begins. 1. Clause 3 (3).—It was alleged that the Partition Council had agreed that boundaries should be conclusively determined by Boundary Commissions who would present not a report but an award. Consequently they asked for replacement of words from "before the appointed day" to "in the light of any such reports" by some such words as "by relevant awards, whether presented before or after the appointed day, of any Boundary Commissions appointed or to be appointed by the Governor-General in that behalf".¹

2. Clause 9 (1).—They desire insertion of words making express the fact that the Governor-General's powers under this sub-clause when exercised after the appointed day will not be exercised on advice.²

3. Clause 9 (1) (f).—They desire insertion of a sanction for the enforcement of orders of Governor-General or arbitral awards dividing property between the two Dominions. They put the case of an order or award involving handing over to Pakistan after the appointed day of movable property situate in the Dominion of India and a refusal by that Dominion to hand over the property. They suggested insertion of provision whereby H.M.G. in the U.K. would assume responsibility for enforcing orders of Governor-General or awards of arbitral tribunals regarding the division of property between the two Dominions. (One mode of enforcement suggested was the payment to the aggrieved Dominion of a compensatory sum from the sterling balances and the debit of that sum to the share in the sterling balances of the offending Dominion.)³

4. Clause 20 [19]⁴ (3), proviso.—On the authority of the reference to the appropriate successor authority in para 17 of the Announcement of June 4th [3rd]⁵ they ask for amendment of the reference in the proviso to "either of the said Assemblies" so as to confine the participation of representatives of tribal areas on the Assam frontier to the Constituent Assembly for India and to confine the participation of representatives of the Baluchistan, (and assuming the inclusion of the

N.W.F.P. in Pakistan) the N.W.F.P. tribal areas to [sic for in] the Constituent Assembly for Pakistan.⁶

5. *Clause 2 (1).*—They strongly resent the inclusion of the Andaman and Nicobar Islands in the Dominion of India and claim that for geographical and strategical reasons they should be included in Pakistan. They point out that the Islands were given no representation in the existing Constituent Assembly and that their constitutional future had not been discussed at all. It was not, they say, till they saw the Bill that they realised that the Islands would be included in the Dominion of India. Arising out of this point they urge incidentally the recasting of clause 2 (1) so as to define "India" on the lines of the definition of "Pakistan" by express mention of territories.⁷ *Ends.*

(Copy sent to Reforms Commissioner⁸).

^{1,2,3}Jinnah followed up these informal observations with Annex III which contains his formal comments.

⁴Clause 20 has been corrected to read [19] in No. 460, *TP*, XI, 830.

⁵No. 1, Vol. II, 1-6. The date has been corrected to read [3rd]. *Ibid.*

^{6,7}See notes 1, 2 & 3 above.

⁸V. P. Menon.

Annex II to No. 1
Louis Mountbatten to the Earl of Listowel
Telegram, IOR, R/3/1/154

SECRET/IMMEDIATE
No. 1703-S

NEW DELHI,
2 July 1947 (11.35 p.m.)

Further to my 1695-S of 2 July,¹ following are points raised informally by the Muslim League Leaders at the afternoon session today.

- (i) *Clause 9 (5).* The Leaders would accept an extension of the post-appointed day period to eight months.²
- (ii) *Clause 10 (2).* Mr Moh[ama]d Ali expressed the view that the guarantee conferred by this sub-clause as respects remuneration was wider than that embodied in a letter issued by the Home Department. The Leaders desired the terms of the clause to be checked against the relevant decision³ of the Interim Government that statutory effect would be given to the guarantees which the Government of India had agreed to give to those officers of the Secretary of State's Services who would continue in service after the transfer of power.

- (iii) *Clause 10 (2)*. Reference your 8184 of 25 June⁴ and 8295 of 27 June,⁵ they agreed to an extension of the guarantee to High Court Judges appointed before the appointed day, who after the appointed day serve in a High Court in Pakistan. They pointed out that in Pakistan there would be no judges of the Federal Court appointed before the appointed day and that no question would therefore arise of enacting a guarantee in respect of Federal Court Judges in relation to Pakistan.
- (iv) *Clause 14*. The Leaders gave the assurance desired. (See your 7897 of 19th June.)⁶
- (v) Reference your 7893 of 19 June,⁷ the Muslim League Leaders did not accept the view that the Dominion of India would inherit the international personality of the existing India and as at present advised they were not prepared to give an assurance to the effect that the Dominion Governments when set up would consider themselves as the successors to all treaty rights and obligations as indicated in your telegram under reference. They would strongly resent the insertion in the Bill of provision (understood to have been suggested at today's meeting of the Congress Leaders) affirming in terms that the Dominion of India is the successor of the present India. In fact if any such insertion were made the Muslim League Leaders would wholly withdraw their acceptance of the Plan.
- (vi) Reverting to paragraph 5 of my 1695-S⁸ (Andamans and Nicobars) the Leaders pointed out that it would be open [to] India to refuse to allow, e.g. the passage through India of Pakistan troops proceeding from Western Pakistan to Eastern Pakistan or *vice versa*; that in that event the sea route would be the only available route and that the Andaman and Nicobar Islands constituted an essential coaling station for a voyage from Chittagong to Karachi.

⁴Annex 1.

⁵See Enclosure 3, II, clause 9.

⁶The summary of the case put up to Viceroy by the Home Department on 11 June conveyed the suggestion of Vallabhbhai Patel that HMG be requested to make provision in the legislation for successor Governments to give statutory effect to the guarantees that the Government of India had agreed to give to those officers of Secretary of State's Services who would continue to serve after the transfer of power. See No. 249, note 10, TP, XI, 490. Also see Enclosure 3, Section III.

⁷In this telegram Listowel asked Mountbatten to obtain Indian leaders' concurrence to giving non-Secretary of State employees such as Judges appointed by the Crown, guarantees as given in case of officers of Secretary of State's Services. See No. 351, TP, XI, 646-7.

⁸In this telegram Listowel informed Mountbatten that amendments proposed by the latter in respect of this clause would be made. See No. 373, note 2, *ibid.*, 701.

⁹In this telegram Listowel asked Mountbatten to obtain assurances from Indian leaders of agreement to the continuation of payments after the transfer of power by the Secretary of

State on behalf of the successor Dominion Governments. See No. 271, clause 13, *ibid.*, 525. Also see Enclosure 3, Section IV, clause 14.

⁷In this telegram Listowel informed Mountbatten of the Cabinet (India and Burma) Committee's decision that HMG should support Hindustan's claim to be continuing personality of existing India. See No. 270, TP, XI, 523. Also see Enclosure 3, 1.

⁸Annex I.

Annex III to No. 1
Louis Mountbatten to the Earl of Listowel
Telegram, IOR, R/3/1/154

CONFIDENTIAL/MOST IMMEDIATE
No. 1723-S

NEW DELHI,
3 July 1947 (5.00 p.m.)

Reference my immediately preceding telegram. Following is text of Muslim League comments¹ on Draft Bill.² Begins:

Muslim League comments on the Draft Bill
[Not printed]³

¹For objections raised informally by the ML on the Draft Bill in the morning of 2 July, see Annex I. For objections raised informally by the ML during the afternoon session, see Annex II.

²Enclosure 1.

³See No. 17.

Annex IV to No. 1

F. 2/163-70

[3 July 1947]

Congress Comments on the Draft Bill

We have considered the Draft Bill¹ and have the following comments to offer:

1. *Form of Bill*²— a . We understand that in the opinion of H.M.G. the form of the present Bill makes it sufficiently clear that the new *Dominion of India will continue the international personality of the existing India*.³ But the point is so vital that all avoidable doubt should be removed.

b. For *international purposes*, the whole of India, including British India and the Indian States, is at present a single State. Under the Bill, two independent Dominions are set up in British India and the Indian States are detached from both. This simultaneous fragmentation may create doubts as to whether even the *Dominion of India*⁴ is anything more than one of the new fragments and whether as such it can continue to represent the old entity,⁵

since even the two Dominions are described in the Bill as "new Dominions". To avoid all possible doubt in this respect, and to preserve the continuity of the *parent State* for other essential purposes, there should be two⁶ separate Bills: the first, creating the Dominion of India to consist of the whole of the existing India excluding the Pakistan Provinces⁷ and such of the contiguous Indian States as may accede to Pakistan; and the second, creating the Dominion of Pakistan to consist of the excluded territories.⁸

c. If, owing to the time factor, it is not possible to have two Bills at once, we would suggest that the single Act now being passed should be divided as soon as possible into two separate Acts, in much the same way as the Government of Burma Act was separated from the Government of India Act in December 1935 although the two were originally passed as a single measure in August 1935.

d. We would in any case suggest the insertion of a provision in the Bill explicitly stating that the rights and obligations of India under any treaty or agreement with foreign States shall as from the appointed day become the rights and obligations of the *Dominion of India*,⁹ saving only those obligations which by their nature can only be performed in territories *outside the Dominion*.¹⁰ Such a provision will, incidentally, contain the assurance which H.M.G. apparently desire in this behalf.

2. We now proceed to the details of the Bill in its present form.

Preamble—For the reasons mentioned above, the preamble should read:

"A Bill to make provision for the establishment of the *Dominion of India and the creation of a separate Dominion of Pakistan* and for other matters consequential¹¹ etc., etc."

Clause 1 (1): For the same reasons, this sub-clause should provide that as from August 15, 1947, India shall be a *Dominion and Pakistan a separate Dominion*.¹²

Clause 2 (1): India should be defined to be the whole of India as under the Act of 1935 excluding Pakistan; Pakistan¹³ should be defined to be the British Indian areas mentioned in the Bill plus such of the contiguous Indian States as may accede thereto.

Clause 2 (3): It should be made clear that "any area" in this sub-clause includes acceding Indian States.¹⁴ There is no specific provision in the Bill in its present form for the accession of Indian States.

Clause 3 (2) (a): We see no reason why merely because of the transfer of Sylhet to East Bengal, the present Province of Assam should cease to exist. This would merely furnish an additional argument to those who might wish to contend that the State now recognised as India ceases to

exist with the separation of Pakistan. Sylhet is only one district out of about a dozen in Assam, although it has a large population. Bombay did not cease to exist as Bombay owing to the separation of Sind.

Clause 6 (1): Now that we have suggested a new definition of India so as to make it consist of existing India excluding Pakistan, a proviso will have to be inserted under this sub-clause on the following lines:

"provided that save as otherwise provided by or under this Act, the Legislature of the Dominion shall exercise jurisdiction only over the Governors' Provinces and Chief Commissioners' Provinces or parts thereof included in India",¹⁵

Clause 6 (2): The words "any existing or future Act of Parliament" may not cover the Act that is being now passed. The words should be "this Act or *any existing*¹⁶ or future Act or Parliament".

Clause 6 (4): Owing to the ambiguity of the words "as part of the law of the Dominion", a written assurance was given to the Dominion delegates at the Imperial Conference of 1930 in *connection with a similar phrase*¹⁷ then proposed to be inserted in the Statute of Westminster that it was not Parliament's intention, under the provision in question to enact any law in relation to the Dominions which, if enacted in relation to a foreign State,¹⁸ would be inconsistent with international comity. The same object can be better achieved by substituting for the words "unless it is declared in the Act that the Dominion has requested and consented to the passing thereof", which occur in the Bill, the words "unless extended thereto *by an Act*¹⁹ of the Legislature of the Dominion" which occur in section 2 of the Status of the Union Act, 1934, in South Africa.

Clause 7 (1) (b): The complete wiping out of all treaties and agreements in force at the date of passing of the Act will create administrative chaos of the gravest kind. Railway agreements, customs agreements, harbour agreements, agreements ceding criminal and civil jurisdiction, extradition agreements, agreements connected with the administration of Posts and Telegraphs, Irrigation agreements, agreements for the protection of Indian States from external aggression, and more generally, agreements relating to defence and external affairs and a host of other agreements will all lapse and even the existence of States like Benares and Mysore which rest on Instruments of Transfer from the Crown might be deprived of all legal basis. Even the Cabinet Mission's memorandum of May 12, 1946,²⁰ contemplated in paragraph 4 that pending the conclusion of new agreements, existing arrangements in all matters of common concern should continue. Paragraph 5 of the same memorandum, after referring to the lapse of paramountcy and the

consequent cessation of all rights and obligations flowing therefrom goes on to state that the void so created must be filled by the States entering either into a federal relationship or into new political arrangements with the successor government. To negotiate new agreements—some of them multipartite—with a large number of Indian States will be a long and laborious task. Therefore, both to save time and trouble, instead of individual standstill agreements, a standstill proviso of general application to all the States should be inserted in the Bill itself.²¹

It may be pointed out that under the clause as drafted, *treaties and agreements in force*²² at the date of the passing of the Act lapse as from "the appointed day". This seems to imply that agreements which may be negotiated between the passing of the Act and the appointed day do not lapse. It may be that the intention of the provision is that *standstill agreements*²³ should be negotiated during this intervening period, while the paramountcy of the Crown continues. This is borne out by the statement in the Memorandum of May 12, 1946, that the British Government and the Crown Representative, i.e. the Paramount Power, will lend such assistance as they can in negotiating such agreements. There is, however, no intrinsic difference between such agreements and the agreements which the Bill seeks to terminate. Moreover, owing to the time factor, it will not be possible to arrive at new agreements before the appointed day and the easiest way of achieving what was the intention of the Memorandum of May 12, 1946, would be to insert in the Bill itself a proviso on the following lines:

"Until new agreements are completed the existing relations and arrangements between His Majesty and any Indian Ruler in all matters of common concern shall continue as between the new Dominion Government and the State concerned."

The proviso should be added to clause 7 (1) (b) and we would suggest that the three alternatives mentioned below (in order of preference) be considered in this connection:

Clause 7 (1) (b) should read:

"The suzerainty of His Majesty over the Indian States lapses, provided that,—(here insert the proviso mentioned above). Under this alternative, all the words occurring in the sub-clause except those relating to the lapse of suzerainty go out.

(2) The sub-clause should read:

"The suzerainty of His Majesty over the Indian States lapses and with it all functions exercised by His Majesty... sufferance or otherwise, provided that,—(here insert the proviso mentioned above). Under this alternative, the words "all treaties and agreements in

force between His Majesty and the Rulers of Indian States" occurring in the Bill go out.

(3) The Sub-clause may be retained in its present form, but with the proviso mentioned above.

Clause 7 (1) (c): There should be a proviso similar to that suggested in connection with Clause 7 (1) (b); otherwise there is the danger of agreements relating to the Khyber Pass, the Bolan Pass, etc., lapsing, with prejudicial consequences to the security of the country.

Clause 9 (5): We agree to the substitution of "31 March 1948" for "six months from the appointed day".

Clause 10: We have no objection, on the merits, to any suitable amendment, but we consider that the security of tenure provided for the Judges of the Federal Court and of the High Courts in the Government of India Act, 1935, is adequate.

Clause 14: We see no reason why the Secretary of State should continue to make these payments but if he does make them, the Dominion will of course provide the necessary funds. The High Commissioner should in future do this work. The Clause is unnecessary and should be deleted.

Clause 19 (3) (a) (iii): We have already pointed out that the Province of Assam should not cease to exist merely because of the *transfer of Sylhet*. Therefore this sub-clause will need²⁴ modification.

Proviso: The proviso to Clause 19 (3) (a) is at present vaguely worded. We consider it essential that the powers and functioning of the Constituent Assemblies in respect of the making of the new constitutions should be placed beyond doubt. The Constituent Assemblies should have full power on their own to provide for the filling of casual vacancies and the participation in their work of representatives from Indian States and Tribal Areas. We would therefore suggest that the proviso, as drafted, be dropped and in its place the following be inserted as a new sub-clause 3A:

"Nothing in this Act shall be construed as detracting from the full power of either Constituent Assembly

- a. to frame a Constitution for India or Pakistan, as the case may be,
- b. to give full effect to such Constitution in supersession of the Constitution previously in force,
- c. to make provision for the filling of casual vacancies, and
- d. to regulate the participation of representatives of the Indian States and of the Tribal Areas in the Assembly in accordance with such arrangements as it may make in this behalf."²⁵

¹Enclosure 1.

²Underlined in the original.

^{3a}⁴Underlined, sidelined or otherwise marked in the original by Jinnah.

⁵Marked "no" by Jinnah.

⁶See notes 3 & 4 above.

⁷Marginally marked with a "?" by Jinnah.

^{8,9,10,11,12,13&14}See notes 3 & 4 above.

¹⁵Ibid. Marginally marked with "?" and also "Excluding States" by Jinnah.

¹⁶See notes 3 & 4 above. Also ticked by Jinnah.

¹⁷See notes 3 & 4 above.

¹⁸See note 7 above.

¹⁹See notes 3 & 4 above.

²⁰See Appendix X, Vol. I, Part II, 479-81.

²¹See note 7 above.

^{22,23&24}See notes 3 & 4 above.

²⁵ML comments on this document are contained in Annex VI.

Annex V to No. 1
Jawaharlal Nehru to Louis Mountbatten
IOR, R/3/1/154

SECRET

NEW DELHI,
4 July 1947

Dear Lord Mountbatten,

I enclose a note containing our comments on the comments¹ of the Muslim League on the draft Bill.²

Yours sincerely,
JAWAHARLAL NEHRU

His Excellency
Viscount Mountbatten of Burma,
The Viceroy's House,
New Delhi

4 July 1947

Better circulate and send copy home with C.V.S.³ H.E.⁴ has *not*⁵ seen yet. Ack[nowledgement] to be put up.

G[E. B. ABELL]

Copied. Ack[nowledgement] herewith.

V. F. E[RSKINE] C[RUM]

¹Annexes I, II & III.

²Enclosure 1.

³H. L. Ismay, who left New Delhi for London on 6 July.

⁴Louis Mountbatten.

⁵Underlined in the original.

*Enclosure to Annex V to No. 1
Congress Comments on the M[uslim] L[eague] Comments on the
I[ndian] I[ndependence] B[ill]*

IOR, R/3/1/154¹

The following are our comments on the League comments² on the draft Bill:³

Clause 2: The Dominion of India does continue the international personality of the existing India, retaining whatever is not specifically transferred to Pakistan. We cannot possibly agree to any amendment which will throw doubt on this position. On the contrary, we have proposed amendments designed to confirm it beyond any possibility of doubt.

As regards the Andaman and Nicobar Islands, their total population, according to the Census of 1941, was about 34,000, of whom about 12,000 were Hindus, Sikhs and Buddhists; about 11,000 aboriginal tribes; about 8,000 Muslims; and about 3,000 others. It will thus be seen that they are very predominantly a non-Muslim area; it is not even correct to say that the majority of the population consists of tribes. In the judicial sphere, their administration is for certain purposes linked with the High Court at Calcutta. In other respects they are administered as a Chief Commissioner's Province.

The islands do not lie on the direct route between the two parts of Pakistan. If they are of strategic importance to Pakistan, much more so are they to the Dominion of India. The claim that these islands should be allotted to Pakistan is therefore wholly untenable. There can be no question of their being allotted to or forming part of Pakistan; only such areas can be included in Pakistan as have expressed a wish to that effect; the rest remains with India.

Clauses 3 & 4: We have no objection to the decisions of the Boundary Commission[s] being treated as awards binding on all concerned.

Clause 6 (2): We have made a similar recommendation.

Clauses 9 & 11: There is no reason why the Governor-General should not act on the advice of Ministers. If the Ministers of the two Dominions differ in respect of some order which concerns both, the matter may go to arbitration.

We have already agreed that the period mentioned in sub-clause (5) of clause 9 may be extended to March 31, 1948.

The powers of repeal and amendment of the Legislatures of the Dominions extend only to their respective territories. It is unnecessary to restrict them in any way.

Clause 19 (3), proviso: It is unnecessary specifically to provide in the

Bill who the appropriate authority to negotiate with the tribal areas on the N.W.F.P. or elsewhere should be; no such provision has been made in respect of the Indian States.

General: We strongly object to H.M.G. or any other external authority undertaking to enforce the awards made by the Boundary Commissions or any arbitration tribunals that may be set up in future. The implementing of the awards should be left to the good sense of the two States concerned, as in the case of any two independent States.

¹No. 501, TP, XI, 887-8.

²Annex III.

³Enclosure I.

Annex VI to No. 1

F. 2/149-54¹

ML Comments on Congress Comments on the Draft Bill

[undated]

Editorial Note. There are two versions of the ML comments on Congress comments on the Draft Bill. F. 2/149-51, QAP is the initial draft while F. 2/152-4, QAP is the final version. The portions in roman within square brackets were excluded and those in italics within square brackets inserted in the final version.

Paragraph 1 of Congress comments²

(a). The point raised is covered by the last paragraph of our original comments.³ The view advanced by the Congress is in our opinion absolutely untenable.

[The Dominion of India not being the sole successor authority cannot continue the international personality of the existing India because both the Dominions of India and Pakistan have identical positions as regards international personality. We, therefore, repeat that no change should be made in the Bill. The assumption that the Bill as it stands makes it sufficiently clear that the new Dominion of India will continue the international personality of the existing India is absolutely unwarranted.]

(b) and (c). The Bill can only deal with British India since it is expressly declared in paragraph 18 of H.M.G.'s Statement of the Plan of June the 3rd⁴ that the decisions announced relate only to British India and that their policy towards Indian States contained in the Cabinet Mission memorandum of 12th May 1946⁵ remains unchanged. The Indian States cannot therefore be included within the new Dominion of India. The definition of the Dominion of India proposed by the Congress will mean that even those States which have decided not to join any Constituent Assembly will be forced to become part of the

Dominion of India against their declared intention. We also do not agree that contiguity⁶ is a necessary condition for the accession of a State to Pakistan. [We see no necessity for the introduction of two separate bills now or subsequently.]

[We therefore urge upon H.M.G. to make no change in the Bill nor is there any reason whatsoever for any separate bill as suggested in (b).]

(c). *For the reasons given above we are strongly opposed to the suggestion made.]*

(d). We are strongly opposed to the suggestion made for reasons [already given] *[given above as well as those]* in our original comments.

Paragraph 2

Preamble and clause 1 (1): The point is covered by our comment given above and we are opposed to the proposed amendments.

Clause 2(1): [3 (1)] The point is sufficiently dealt with in our comments above. We reiterate the suggestion made by us in our original comments that the territories of the Dominion of India should also be defined in the same way as those of Pakistan have been defined.

[Clause 2 (3): It is not within the competence of Parliament to enact any legislative measure concerning Indian States. In regard to the point raised by the Congress it is solely the concern of the two Dominions and the State or States concerned to enter into such agreements or arrangements as they may think proper.]

Clause 3 (2) (a): The existing provision in the bill merely states the correct legal and constitutional position regarding the Province of Assam and no change should be made.⁷ If the referendum results in favour of Sylhet amalgamating with East Bengal, not merely Sylhet but other *[contiguous areas in the]* adjoining Districts of Assam will also be involved in the partition. In any case, the number of Districts involved is quite irrelevant in this connection.

Clause 6 (1): Since we are opposed to the definition of "India" proposed by the Congress, the proviso suggested would be unnecessary *[should not be considered.]*

Clause 7 (1) (b): The proposed amendment seems to rest on the fallacious assumption that the new Dominion of India will be the sole successor to the existing Indian Government in respect of all existing agreements, relations and arrangements with the Indian States. In actual fact, all such agreements etc. are between His Majesty and the Rulers of the Indian States. It will be for the two new Dominions to negotiate and enter into such agreements with the Indian States as they deem fit. We are therefore opposed to any amendment of this sub-clause.

Clause 7 (1) (c): The position is similar to that outlined under Clause

7 (1) (b) and we are opposed to the proposed amendment even though the matter is one which would solely concern the Dominion of Pakistan in the event of the N.W.F.P. forming part of Pakistan.

Clause 10: We indicated verbally that we shall have no objection to a statutory guarantee being extended to Judges of the High Court [as defined in Section 219 of the present Constitution Act.] We are not concerned with Judges of the Federal Court since a new Federal Court will be set up for Pakistan.

Clause 14: The clause should be retained as it stands[.] Because it will take some time before the High Commissioner for Pakistan can take over such functions.

Clause 19 (3) (a) (iii): Please see our comments on this point under Clause 3 (2) (a). No amendment should be made [as no valid ground is put forward to support such an amendment.]

Proviso to Clause 19 (3) (a): We have in our original comments indicated the lines on which this Proviso should be amended. No other amendment is in our view called for. *The Proviso as it stands is quite clear and the amendment suggested by the Congress will create confusion specially the use of the word "regulate" in sub-clause (d). The Constituent Assemblies are free and the Proviso does not fetter their hands in any way.*

¹This document was circulated by Erskine Crum as Viceroy's Conference Paper, VCP 112, on 5 July. See No. 520, TP, XI, 912-4.

²Annex IV.

³Annex III.

⁴No. 1, Vol. II, 1-6.

⁵Appendix X, Vol. I, Part II, 479-81.

⁶Hyderabad and Bhopal had indicated they would not join any of the Constituent Assemblies but negotiate alternative arrangements. See No. 109, Vol. II, 190-2; Enclosure to Appendix VIII. 5, *ibid.*, 901-2 and Appendix X. 3, paras 32-6, *ibid.*, 953-4.

⁷Notwithstanding the ML argument, the Congress point of view was accepted. See Annex IV, clause 3(2) (a).

2

V. K. Hamza to M. A. Jinnah

F. 162/131-2

BIG BAZAAR STREET,
COIMBATORE,
1 July 1947

Dear Quaid-i-Azam,

This letter from an unknown person might take you by surprise,

but before completing the letter you will only feel happy for having spent a little of your precious time. The South Indian Muslims can as well contribute their mite towards the economic strength of Pakistan. My very humble suggestion of [sic] a scheme of several industries to be started, and among them the motor industry to be started first as Pakistan Motors Limited. The company [is] to be registered at Karachi, with your kind patronage, recognition, assurance of help, support and co-operation. The foundation of a very big industry for the Muslims in India is to be laid and if only the Almighty makes us successful in all our attempts, we might be able to produce the first car in India.

Having had [sic] a complete study of the present political spirit [sic] existing in this country, I am now feeling as to why I should have started a concern in the South recently, a prospectus of which I am sending you by separate post for information.¹ About 75% of the share-holders of this company are Muslims. As a matter of policy I had to form the board.

I am eager to transplant my activities in Pakistan. I am a graduate of this University and had already earned a very high reputation as a good businessman. I am quite confident that I can start a concern of this type and develop it and finally produce our own car with the help of foreign experts by establishing an assembling plant in Pakistan.

Multifarious industries, if properly planned and started, will surely mark a sudden era of economic development and will cause another industrial revolution in history. Slow[ly] but steadily Muslim finance from South India will flow to Pakistan and finally the entire interest of the South Indian Muslims; and sooner or later let the Almighty give you the strength to see all the Muslims of India in one place.

The proposed company is to consist of about 20 directors, ten respectable Muslims from South India and ten from the North. The registered capital is to be [Rupees] one crore, but to issue [sic] only [Rupees] five lakh now for the initial expenses. For issuing [Rupees] five lakh no sanction of the Central Government is necessary. This five lakh should only be collected from South India. The remaining portion of the capital can be issued in Pakistan with the sanction of our Government there.

I am sure that your assurance of help and encouragement will never be out of place and it will surely by the grace of God lead to great common advantages.

Very eagerly awaiting a line in reply from you and with regards,

Yours sincerely,

V. K. HAMZA

Government and Army Contractor

PS. I feel most unfortunate in having not met you during my last visit

to Delhi in January 1946 but met Mr. Sait² at Western Court who was kind enough to take me to the sessions. I wish to meet you in person.

¹Not available in QAP.

²Presumably Haji Abdul Sattar H. Essak Sait, Chief Whip of the ML Party in the Central Legislative Assembly.

3

Ahmed E. H. Jaffer¹ to M. A. Jinnah

F. 313/12

GREEN'S HOTEL, BOMBAY,
1 July 1947

Respected Quaid-i-Azam,

While I was in Delhi last month I was instructed by the Hon. Mr. Liaquat Ali Khan and Khwaja Nazimuddin to hurry up with the work of preparing the trust deed in respect of Rs. 2,50,000 sanctioned by Government as unclaimed interest, and I was also asked to convene a meeting at the time of the Constituent Assembly session² when most of the Muslim Members of the Central Legislature may be in Delhi.

Since my return to Bombay I have been busy seeing the Solicitors, and have got the deed and scheme prepared,³ which I am sending to you separately. I have, therefore, convened a meeting in Delhi on Sunday the 13th July at 6 p.m. at Hotel Imperial for the purpose of election of Trustees and to confirm the scheme; and a notice⁴ convening this meeting is also being sent to you separately. I have to request you to kindly make it convenient to preside at the meeting. I am sure under your leadership and guidance we can settle this question finally. I do hope you will be good enough to spare half an hour for the meeting. Kindly let me have your reply at Hotel Imperial, New Delhi, as I shall be there from the 9th July.

I hope you are enjoying excellent health.

With kind regards and best wishes,

Yours sincerely,
AHMED E. H. JAFFER

¹Assistant Whip of ML Party in the Central Legislative Assembly.

²Jinnah had sounded out Mountbatten with regard to the venue of the inaugural meeting of Pakistan Constituent Assembly around mid-July, the latter preferring Delhi to Karachi. Congress leaders, however, rejected the suggestion out of hand. See No. 369, para 41, TP, XI, 690-1.

^{3&4}Not available in QAP.

4

M. A. Jinnah to Ahmed Ispahani

F. 683/344

NEW DELHI,
1 July 1947

Dear Mr. Ahmed Ispahani,

I received your telegram¹ and letter² and I have instructed the Habib Bank to remit telegraphically today Rs. 1,00,000 (Rupees one lakh) to be paid to you as the Chairman of the Assam Referendum Committee. I am arranging to send you more money later.

In the meantime please keep me informed how things are going on.

Yours sincerely,
M. A. JINNAH

M. A. Ispahani, Esq.,
5 Camac Street,
Calcutta

¹Not available in QAP. See No. 322, Vol. II, 620.

5

M. A. Jinnah to Louis Mountbatten

F. 2/139

1 July 1947

Dear Lord Mountbatten,

Thank you for your letter of 30th of June.¹ Having consulted some of my colleagues I can now state that appointments to the governorships of the Pakistan provinces should be made on the advice of the Dominion Government of Pakistan.

Yours sincerely,
M. A. JINNAH

¹No. 326, Vol. II, 628-9.

6

*H. M. Patel to M. A. Jinnah**F. 1/103*SECRET
No. P.O. 5/PC/47GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
1 July 1947

The undersigned is directed to circulate to the members of the Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Friday, the 27th June 1947.

H. M. PATEL

*Enclosure to No. 6**F. 1/104-9*PROCEEDINGS OF THE PARTITION COUNCIL MEETING
HELD ON FRIDAY, 27 JUNE 1947

SECRET

PRESENT

His Excellency the Viceroy
Mr. M. A. Jinnah
The Hon'ble Mr. Liaquat Ali Khan
The Hon'ble Sardar Vallabhbhai Patel
The Hon'ble Dr. Rajendra Prasad
The Chief of the Viceroy's Staff¹
The Principal Secretary to His Excellency the Viceroy²
Mr. H. M. Patel
Mr. Mohamad Ali

CASE NO. PC 1/1/47
RECONSTITUTION OF THE GOVERNMENT
AT THE CENTRE AND IN BENGAL

His Excellency said that the Bengal Ministry was responsible to the Legislature and was, as such, entitled to continue. It was proposed, therefore, and Mr. Jinnah had agreed to this,³ that the Bengal Governor should be asked to invite the leaders of West Bengal to form a shadow Cabinet and be responsible for matters solely or predominantly concerning West Bengal. In the event of any disagreement, matters would

come up before a full Cabinet meeting at which the Bengal Governor would be invited to preside. As regards the Centre, he had discussed this question with the Cabinet when he was in London⁴ and the law officers of the Crown had been consulted as to the legality of an arrangement similar to that now proposed for Bengal. It had been necessary for him to do this as, in agreeing to partition, the Congress had asked for an assurance that they would be allowed a free hand in dealing with the area which would fall to them. He for his part had given this assurance subject to its being found to be legally feasible, and provided the Congress agreed to give to Muslim League an equally free hand in their areas. The Congress were agreeable to this condition. When he realised the amount of work that had to be done to implement the decision to partition, he had hoped that it would be possible to carry on the standstill basis.⁵ The Congress, however, had made an issue of the matter and wished immediately to be masters in their own house.⁶ He had considered the whole question very carefully and suggested for the consideration of the Council the following arrangement: firstly, that he should ask for the resignation of all existing members of the Cabinet; secondly, that he should invite the leaders of the two future governments to nominate an equal number of men for appointment as members. He would suggest a set of 9 members on each side, each of whom would hold about two portfolios. The Congress members would be in actual charge of the portfolios but would be responsible only for their own future area. The League members holding corresponding portfolios would see all papers and would have over-riding powers both to refer to the full Cabinet and, in the event of disagreement, to the Viceroy for his own decision on any proposal which solely or predominantly affected Pakistan and to which they objected. They would also have the right to initiate any action required for the Pakistan area which must be acted upon by the member concerned. The standstill agreement would of course still continue to operate, since we had to concentrate all our energies to getting on with the partition work. The only real difference between this suggestion and Dr. Rajendra Prasad's⁷ was that in the case of the latter proposal both members would sign, whereas under the former only one would sign and that would be the Congress member who would be in actual charge.

Concluding his remarks, His Excellency said that he hoped that this suggestion would be acceptable to the two parties. So far as Muslims were concerned, they would be setting up a machinery which they would have to pack up and remove to Karachi after some 40 odd days. His suggestion would give them and their government a certain measure of continuity.

Mr. Jinnah remarked that this was now only a matter of 40 odd days. He would appeal to the Congress to rise to the occasion and not to put forward a proposal which may be humiliating to either side. We were already agreed that nothing should be done which was prejudicial to either side, and although he realised that there was distrust on both sides, which he hoped would disappear soon, he trusted that no attempt would be made to dishonour any agreement which we had entered into as honourable men. His suggestion, therefore, was "Do not do anything which would make it appear that it was the Congress which would have the authority while the League would be merely a watchdog". While this was his appeal he thought it necessary to emphasise that legally and constitutionally the proposal was wrong and untenable.

Sardar Patel said that he in his turn would appeal to Mr. Jinnah to look after his own area and to leave them to look after theirs. What was the good of going into the legal side of the question?

His Excellency reiterated his own preference for the continuance of the existing arrangement but in view of the assurance that he had given to the Congress⁸ and the legal opinion that had been given to him he could not accept Mr. Jinnah's view. As regards the legal issue, his advice was, and that was supported by what Mr. Jinnah had earlier quoted from Parliamentary debates,⁹ that he could appoint anybody, have as many portfolios as he considered desirable, and distribute the work among the members appointed as he considered suitable.

It was agreed that Mr. Jinnah should prepare a note on the legal aspect of the proposal and submit it to His Excellency the Viceroy by Sunday [29 June] morning. His Excellency the Viceroy for his part would warn H.M.G. that a telegram on this question would be coming. He would despatch Mr. Jinnah's note¹⁰ as soon as it was received asking H.M.G. to let him have a reply in time for the matter to be finally settled at the Cabinet meeting on Wednesday [2 July].

After a brief discussion, it was further agreed that in so far as Bengal was concerned, the existing League Ministry would continue in office for the whole of Bengal but that the representatives of the future government of West Bengal would be included in the Ministry and be given over-riding powers both to refer to the full Cabinet and, in the event of disagreement, to the Governor for his own decision on any proposal which solely or predominantly affected West Bengal and to which they objected; they would also have the right to initiate any action required for the West Bengal area which must be acted upon by the League Minister concerned.

In the case of the Punjab, which was under Section 93,¹¹ it was agreed that the Governor would be invited to appoint two bodies of

advisers, one from each of the future parts of the Province to advise him on matters concerning their respective territories.

CASE NO. PC/2/1/47
BOUNDARY COMMISSION

Both the Congress and the League agreed to the proposal which had been put forward the previous day by His Excellency¹² that Sir Cyril Radcliffe should be invited to come out as Chairman of the two Boundary Commissions. It was understood that Sir Cyril Radcliffe might be ready to come out within 10 days and be prepared to stay upto August 15th. The Boundary Commissions would be asked to start their work on Monday next [7 July] without waiting for the arrival of Sir Cyril Radcliffe.

CASE NO. PC/3/1/47
PROCEDURE FOR THE APPOINTMENT OF GOVERNORS¹³

Mr. Jinnah said that he had not consulted his colleagues, but his personal view would be in favour of the appointments being made on the advice not of the Provinces but of the Dominion Government.

CASE NO. PC/4/1/47
ARBITRAL TRIBUNAL

Sardar Patel said that the suggestion that Sir Cyril Radcliffe should preside over the Arbitral Tribunal after he had finished the Boundary Commissions' work was not acceptable to the Congress. Quite apart from the question of principle that was involved, the suggestion was impracticable in that Sir Cyril Radcliffe could only take up the work after the Boundary Commissions' work was over, whereas references to the Arbitral Tribunal might have to be made much earlier. The Congress adhered to their original suggestion, *viz.* the Federal Court should be the Arbitral Tribunal.¹⁴ It had on it an Englishman, a Muslim and a Hindu¹⁵ and as all of them had been appointed as Judges not with a view to undertaking this work, there would thus be the additional advantage in that neither the Muslim nor the Hindu Judge would consider himself as representing any side despite his community. From the Congress point of view, it would be derogatory to have to bring men from abroad for this work. They had agreed to an exception being made in regard to the Boundary Commission[s] for special reasons and because it was a matter of extreme urgency.

Mr. Jinnah was prepared to accept Sir Cyril Radcliffe assisted by one nominee of the Congress and one of the League. It was clearly desirable that we must have an Arbitral Tribunal on the highest level and composed of men of the highest calibre and wide judicial experience. Persons who had already been in this country would always have a

sub-conscious bias. After all we were human. If we wanted an impartial and fair tribunal composed of men with the highest judicial talent, we could not do better than have a tribunal composed of men drafted from the judicial committee of the Privy Council. He understood that that had been ruled out owing to the great age of most of the judicial Lords and the heat of Delhi. He would, nevertheless suggest that it would be an advantage to bring in someone who was new to this country.

After some discussion, it was agreed that the two sides should let His Excellency have a list of names of those whom they considered suitable for appointment on this tribunal¹⁶ and that His Excellency himself would endeavour to find a suitable Chairman.

CASE NO. PC/5/1/47
THE DRAFT INDIA BILL

His Excellency said that by a special dispensation it had been arranged for the Draft India Bill¹⁷ to be sent to India in order that the Indian leaders might have an opportunity of studying it. It had also been agreed that the Bill must not leave the Viceroy's House and he proposed, therefore, as soon as the Bill was received, to invite two leaders from each side to come and study it. Each side might bring with them a legal expert. The two Steering Committee members¹⁸ would also be asked to attend.

CASE NO. PC/6/1/47
REQUEST FOR THE TRANSFER OF THE PRINTING PRESS
TO KARACHI ETC.

His Excellency said that there were many disadvantages in moving a printing press. It would take a considerable time to dismantle it, transport it and reinstall it and there would thus be a loss of efficiency. His suggestion was that he should send out a telegram to H.M.G. at the highest level requesting them to arrange for top priority for the supply of two presses for India, the first off the line to go to Karachi and the second for use in the rest of India. In the meantime, he understood that Sardar Patel was agreeable to one press in India being made available to do work solely for Pakistan. The control over the press would not change but the press would be given instructions direct by the Pakistan Government.

Mr. Liaquat Ali Khan said that he would inform Sardar Patel later which press he would prefer to be placed at their disposal in this manner.¹⁹

¹H.L. Ismay.

²Eric Mieville.

³See Appendix IX. 5, para 3, Vol. II, 923.

- ⁴See No. 494, Minute 3, *TP*, X, 920-1. Also see No. 517, Minute 7, *ibid.*, 958 and No. 553, Minute 7, *ibid.*, 1020.
- ⁵See Enclosure 1 to No. 273, Vol. II, 529-30. Also see No. 354, Minute ix, *TP*, XI, 656-7.
- ⁶Nehru saw India as an "Entity" from which certain parts were being given an opportunity to secede. He wanted the functions of the Government of India to continue. See Appendix VII, Vol. II, 879. Also see No. 80, para 1, *TP*, XI, 148, and No. 200, *ibid.*, 388-90 and No. 239, item 5, *ibid.*, 467-9.
- ⁷Not available in *QAP*. No record of this suggestion is available in *TP* *vide* No. 367, note 6, *ibid.*, 677.
- ⁸Mountbatten had promised to put forward to the British Government the Congress demand for treating the Interim Government by Convention as a Dominion Government. See Annex II to No. 452, Vol. I, Part I, 820-1.
- ⁹Annexure to Enclosure to No. 311, Vol. II, 594-5.
- ¹⁰No. 311, *ibid.*, 589-95.
- ¹¹Jenkins had been averse to Mamdot's proposal for formation of ML Ministry in the province. See No. 393, Vol. I, Part I, 706-7.
- ¹²See No. 354, Minute viii, *TP*, XI, 655-6.
- ¹³See No. 273, Vol. II, 528.
- ¹⁴The Arbitral Tribunal had been set up to deal with cases where the Partition Council or the successor governments could not reach an agreement. Also see Enclosure to No. 53, *ibid.*, 113-4.
- ¹⁵The Judges were Patrick Spens, Chauduri Muhammad Zafrullah Khan and Harilal Jekisondas Kania.
- ¹⁶Jinnah nominated Justice Mohammad Ismail of Orissa and Chhatisgarh Common High Court, as ML representative. See F. 4A/5, *QAP*. Not printed.
- ¹⁷Enclosure 1 to No. 1.
- ¹⁸H. M. Patel and Mohamad Ali.
- ¹⁹The Congress was unwilling to let their press work even for "one unnecessary day for Pakistan". Eventually Mountbatten ordered two presses from the U.K., the first off the line to be delivered at Karachi. See Appendix X.3, para 13, Vol. II, 947-8.

7

H. M. Patel to M. A. Jinnah

F. 1/110

SECRET

No. P.O.6/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
1 July 1947

The undersigned is directed to circulate to the members of the Partition Council for their information a copy of the *proceedings, as approved by His Excellency*¹ the Viceroy, of the meeting of the Partition Council held on Monday, *the 30th June 1947.*

H. M. PATEL

¹Underlined here and subsequently in the original by Jinnah.

*Enclosure to No. 7**F. 1/111-120*

MEETING OF THE PARTITION COUNCIL HELD ON MONDAY, THE
30TH JUNE 1947 AT 10 A.M.

SECRET

[PRESENT]

His Excellency the Viceroy
Mr. Mohammad Ali Jinnah
The Hon'ble Mr. Liaquat Ali Khan
The Hon'ble Sardar Vallabhbhai Patel
The Hon'ble Dr. Rajendra Prasad
The Hon'ble the Defence Member¹
His Excellency the Commander-in-Chief²
His Excellency Sir Chandulal Trivedi
The Chief of the Viceroy's Staff³
Mr. H. M. Patel
Mr. Mohamad Ali
Mr. Osman Ali

CASE NO. PC/7/2/47⁴

NOTE BY HIS EXCELLENCY THE VICEROY REGARDING
THE PARTITION OF THE ARMED FORCES⁵

In answer to a question the Commander-in-Chief said that there would be no residue of troops outside the operational control of either dominion of the 15th August although the allocations between the dominions after that date might be subject to further adjustments. The only body remaining outside the control of the two dominions on the 15th August would be the central administrative machinery. The intention was that after that date each dominion would be responsible for the financing of the forces in its operational control and that the expenses of the central administrative machinery would be based on the proportion which the respective ultimate forces of the two dominions bore to the combined total.

It was agreed that each dominion would be responsible for financing the troops under its operational control after the 15th August and that the allocation between them of the expenses of the central administrative machinery would be based on the proportion which the respective forces of the two dominions bore to the combined total.

It was agreed further that movable stores and equipment such as vehicles, guns, tanks, etc., would be divided between the two Armed Forces in proportion to their respective strengths. The division of fixed

installations presented more difficulties and would be separately considered.

Para 3. In answer to a question as to what the strength of the respective forces of the two dominions would be on the 15th of August, the Commander-in-Chief said that he could only give a rough idea. The disposition of troops by that date would be affected:

- a. by the withdrawal of British troops from the country and the return of Indian troops from abroad,
- b. by the transfer of sub-units from one Dominion to another,
- c. the accommodation available in the two dominions, and
- d. the numbers required for internal security purposes.

He hoped that demands under category (d) would cease or at any rate be substantially reduced so as not to hold up the transfer of troops between the two dominions. Subject to these considerations, which rendered his estimate more of a guess than a precise forecast, he reckoned that on the 15th August the disposition would be as follows:

<i>Kind of Formation</i>	<i>Pakistan</i>	<i>Rest of India</i>
Infantry Battalions	Equivalent of 30 to 35	70 to 75 (Including 12 Gurkha battalions)
Armoured Regiments	6	12
Artillery Regiments	12	25
Engineer Companies	16	23 to 38

The Commander-in-Chief explained that this roughly represented the present proportion of Muslims to non-Muslims in the Army which was 30:70. The Armoured Regiments and the Artillery Battalions in Pakistan would be composed wholly of Muslims. Nine of the Engineer Companies were composed entirely of Muslims while three were still mixed and would have to be combed out.

DECISION

It was agreed:

1. that the Commander-in-Chief would place before the Council Progress Reports showing the allocation of Units between the two future dominion Governments from time to time,
2. that His Excellency would impress upon the Provincial Governments on behalf of the Partition Council the need to reduce to the absolute minimum the number of troops they required for internal security purposes, and
3. that the replies of the Provincial Governments on their minimum requirements would be consolidated and placed before the Council.

Para 4. The Commander-in-Chief explained that in moving units to the Pakistan area non-Muslim Co[mpan]ys would as far as practicable

be detached and similarly Muslim Co[mpan]ys would be detached from units being moved into the rest of India.

Para 5. As regards future recruits to either army they should be at liberty to say whether they wished to serve Pakistan or the rest of India. Some restrictions, however, had to be placed on the freedom of choice of existing members with a view to avoiding the possibility of men belonging to one dominion electing to serve in the other with mischievous intent.

After some discussion it was agreed (1) that all personnel now serving in the Armed Forces would be entitled to elect which dominion they chose to serve in. To this however there would be one exception, namely, that a Muslim from Pakistan now serving in the Armed Forces would not have the option to join the Armed Forces of the Indian Union and similarly a non-Muslim from the rest of India now serving in the Armed Forces would not have the option to join the armed forces of Pakistan. There would however be no objection to non-Muslim personnel from Pakistan and Muslim personnel from the rest of India electing to serve in the armed forces of the Indian Union and of Pakistan, respectively. The serving personnel will have the option to resign, if they did not wish to serve in the armed forces of either dominion, (2) that as regards future recruitment to the Armed Forces of the two Dominions, this would be a matter for each of them to decide, and (3) that the Steering Committee should prepare the basis for a draft questionnaire in suitable terms embodying decision (1) above.

Para 6. The Committee approved of His Excellency's proposal to prepare in consultation with the Commander-in-Chief lists, arranged in order of preference, of officers considered suitable for appointment as heads of the three services in each of the two dominions and discuss them separately with the leaders of the two parties.

Para 7. It was agreed that (1) the Joint Defence Council would consist of (a) the Governor-General or Governors-General, (b) the two Defence Members, and (c) the Commander-in-Chief in India.⁶ (2) that if for any reason either or both of the Defence Members were unable to attend, another Minister or Ministers might attend in their place, and (3) that each Defence Member (or the Minister acting for him) should be entitled to call in one other Minister and Experts to assist him if he so chose.

Para 8. It was agreed that the existing Commander-in-Chief in India should be called *Supreme Commander* in order to distinguish him from the two Dominion Commanders-in-Chief from the 15th August until his work of setting up separate administrative machinery for the armies of both Dominions was completed.

OUTLINE PROPOSALS FOR CONTROL OF ARMED
FORCES DURING THEIR RECONSTITUTION
(ANNEXURE I)

The Council approved the outline proposals for control of the Armed Forces during their reconstitution as set out in annexure (1)⁷ to the note by His Excellency subject to the following:

Paragraph 2. Note (iv): The Army Sub-Committee should examine and report to the Council on the pros and cons of setting up the Army H.Q. for the Union of India at Meerut rather than at Delhi.

Paragraph 3 (i): It was noted that the control of Ordnance Depots, Arsenal, Factories and other such installations would remain with the Supreme Commander acting under the directions of the Joint Defence Council until such time as the central administrative control remained.

Paragraph 3 (iii) (c): It was decided that the responsibility of the Army H.Q. in each dominion would include the posting and promotion of officers, both British and Indian, with the proviso that in the case of British officers the promotion and posting would be done in consultation with the Supreme Commander as a single list would be maintained.

DRAFT TERMS OF REFERENCE OF THE ARMED FORCES
RECONSTITUTION COMMITTEE
(ANNEXURE II)

Assumption i: In answer to a question, the Commander-in-Chief explained that the option of being allowed to terminate their services and remain eligible for proportionate benefits would apply only in the case of personnel serving on regular engagements as against temporary members of the Armed Forces. It was agreed that the assumption should be reworded as follows:

Existing members of the Armed Forces serving in either State will be governed by their existing terms and conditions of service. If, subsequently new terms are promulgated and if they do not desire to serve on the new terms, they will be allowed to terminate their services and proportionate benefits will be admissible to them.

Assumption iii: It was agreed that the allocation of pensionary liability between the two governments would be dealt with by the relevant Expert Committee.

Assumption iv: It was agreed that this assumption should be reworded as follows:

Except as demanded by the processes of reconstitution of the Armed Forces, there shall be no changes in the basic organisation and nomenclature of formations, units, establishments and installations, of the three services or in the class composition of units until such reconstitution is completed.

The Council approved of the draft terms of reference of the Armed Forces Reconstitution Committee as set out in Annexure (ii) of the note before the Council subject to Assumption (i) and (iv) being reworded as above.⁸

CASE NO. PC/8/2/47
INTELLIGENCE

In answer to a question the C-in-C said that Operational Intelligence was in the process of being divided between the two future Dominions. Some Intelligence sources would have to continue to be available to him as long as he remained responsible for the administrative control of the two Dominion armies.

CASE NO. PC/9/2/47
BOUNDARY AREAS

It was agreed that the C-in-C should be requested to examine the question which had been raised at the meeting of the Special Committee of the Cabinet held on the 26th June⁹ regarding the possibility of a clash of operational control in the areas through which the boundaries would be drawn between Pakistan and the rest of India and that he should place before the Partition Council for consideration his considered proposals on the best means of dealing with such a contingency.

CASE NO. PC/10/2/47
BRITISH OFFICERS IN PAKISTAN AND THE REST OF INDIA

His Excellency said that such British officers as the two Dominions might desire to keep on in their respective Armed Forces would have to be lent to the respective Dominions on contract on approved terms. He had received from the U.K. Cabinet Committee for India suggested terms which he would embody in a paper on this subject and circulate to members of the Council for consideration at the Council's meeting on Friday next [4 July]. The Committee had worked on the assumption that the two new Dominions would offer terms comparable to those given by the other Dominions of the British Commonwealth when the latter were building up their Armed Forces with the assistance of British officers on contract. The two Dominion Governments would doubtless appreciate the desirability of offering adequate terms to these officers because of the uncertainty of the length of time for which their services would be required and the difficulties they would be faced with on the expiry of their contracts, in making a fresh start in life.

CASE NO. PC/11/2/47

His Excellency said that he had discussed with Sir Chandulal Trivedi the possibility of the latter's acting as a member of the Partition Council.

Sir Chandulal had explained that in view of his duties as Governor of Orissa, he would not be in a position to render whole-time service on the Armed Forces Reconstruction [*sic* for Reconstitution] Committee. He would, however, be glad to act as a consultant to either party.

The Council noted that Sir Chandulal Trivedi would be available to both parties in a consultative capacity and that papers concerning the reconstitution of the Armed Forces would continue to be sent to him.

Sardar Vallabhbhai Patel suggested that financial advisers might be added as members to each of the three sub-committees.¹⁰ The C-in-C said he had considered this matter and thought that it might be desirable to have a panel of, say, two advisers to serve all three sub-committees.

After some discussion it was agreed that the Steering Committee should place before the Council proposals in this respect.

CASE NO. PC/12/2/47

DRAFT INDIA BILL¹¹

His Excellency said that Pandit Nehru had asked to be allowed to bring in additional legal experts to advise on the draft India Bill. He had seen no objection to meeting such a request by either side and had wired H.M.G. to accord formal permission. H.M.G. had informed him that they had no objection to this, but would not be able to give a final reply until they had consulted the Opposition. His Excellency added that he expected to receive their answer tonight, and in the meantime he hoped the leaders of the two parties would let him know the names of the legal experts whom they wished to call into consultation.

CASE NO. PC/13/2/47

WITHDRAWAL OF BRITISH ARMED FORCES

His Excellency said that Field Marshal Montgomery, who was recently in Delhi, had consulted Pandit Nehru and Mr. Jinnah¹² about the withdrawal of British troops and ascertained their wishes in the matter with a view to advising H.M.G. It had been agreed among them that the first batch should sail from India on the 16th August and the withdrawal should proceed thereafter with due regard to the need of avoiding dislocation of movements within the country and to the limited shipping space available. It was expected that the programme of withdrawal would be completed by the end of February 1948.

His Excellency further said that the system of control over British Armed Forces after the 15th August would have to be considered. He would, in consultation with H.M.G. and the C-in-C, prepare a paper on this subject for consideration of the Partition Council.

CASE NO. PC/14/2/47
PUBLICITY

His Excellency recalled that it had been agreed that the Commander-in-Chief should broadcast to the Armed Forces¹³ as soon as the mode of partition of the Armed Forces, their control during the period of their reconstitution, the terms of reference of the Armed Forces Reconstitution Committee, etc., had been settled. As the broad policy had now been decided, the C-in-C was now in possession of the necessary material on which to base his broadcast.

His Excellency further said that he would have a press communique issued stating that at today's meeting of the Partition Council agreement had been reached regarding the setting up of the Armed Forces Headquarters of the two new Dominions, the constitution of a Joint Defence Council and the terms of reference and composition of the Armed Forces Reconstitution Committee.¹⁴

DECISION

The Council approved of the proposals

1. that the C-in-C should broadcast to the Armed Forces, and circulate in advance among the Members of the Council copies of his broadcast;
2. that a press communique should be issued explaining the decisions taken regarding the setting up of separate Armed Forces Headquarters for each Dominion, a Joint Defence Council and the composition and terms of reference of the Armed Forces Reconstitution Committee together with copies of the chart¹⁵ at Annex I to H.E.'s note.

CASE NO. PC/15/2/47
JOINT USE OF CERTAIN ESTABLISHMENTS

His Excellency said that the question of the two new Dominions making joint use of establishments like Gun Carriage Factory, Jubbulpore, the Naval Training School, Karachi, and Staff College, Quetta, would assume importance for the two Dominions after 1st April 1948. He felt that, just as the new Dominions would be entitled to the use of such institutions in other member countries of the Commonwealth, it would be an advantage if the two new Dominions could arrange for the mutual use of establishments lying in their respective territories which could not easily be duplicated.

After some discussion, it was agreed that the Commander-in-Chief should prepare for the consideration of the members of the Council a note giving factual details of such establishments together with a statement of comparative costs (a) of operating them jointly, and (b) of duplicating them, and (c) in the event of their being duplicated, the time which this process would take.

CASE NO. PC/16/2/47

NORTH-WEST FRONTIER AND TRIBAL AREAS

His Excellency said that hitherto the biggest commitment of the Armed Forces in India had been in respect of the N.-W. Frontier and Tribal Areas. The tribes were kept in order by payments to them in various forms of a sum of Rs. 4½ crore per annum and by the maintenance of sufficient forces to make it unprofitable for the tribesmen to disregard these inducements for their good behaviour. His Excellency felt that the requirements of the frontier might be more than the Pakistan Government could afford and were, moreover, a matter of interest to the rest of India also. He therefore proposed, if Mr. Jinnah agreed, that the C-in-C should prepare a paper in consultation with the Commander-in-Chief of the Pakistan Forces as soon as the latter was appointed, outlining:

- a. the strength of the Armed Forces that had been considered necessary in the past in that area,
- b. what numbers were likely to be available to the Pakistan Government for this purpose in the future, and
- c. suggestions, if any, as to how the forces might be reorganised to make up for any deficiency in numbers by increasing the weight of armour, etc.

The Council approved H.E.'s proposal.

CASE NO. PC/17/2/47

His Excellency said he was grateful for the invaluable assistance rendered by His Excellency the Governor of Orissa in matters concerning the reconstitution of the Armed Forces and he was sure his colleagues would wish to join him in expressing thanks to Sir Chandulal for his help. Sir Chandulal Trivedi said that for his part he had been very glad to be of service to His Excellency the Viceroy, the leaders of the two parties, the Commander-in-Chief and Lord Ismay.

¹Baldev Singh.

²Claude Auchinleck.

³H. L. Ismay.

⁴Also see No. 416, *TP*, XI, 756-60.

⁵See Enclosure to No. 286, Vol. II, 547-9.

⁶Underlined and sidlined here and subsequently in the original by Jinnah.

⁷See Annexure I to Enclosure to No. 286, Vol. II, 549-51.

⁸The decisions taken by the Partition Council were notified in a press communique issued on 1 July 1947. See Annex. Also see Annexure II to Enclosure to No. 286, Vol. II, 551-2.

⁹See No. 354, para vi, *TP*, XI, 654.

¹⁰The sub-committees were to make recommendations for implementation of policy for Reconstitution of the Indian Armed Forces. There were separate sub-committees for the Navy, the Army and the Air Force. See Enclosure 2 to No. 121, Vol. II, 279-84. Also see Enclosure 2 to No. 210, *TP*, XI, 410-1.

¹¹Enclosure 1 to No. 1.

¹²See Appendix IX. 6, Vol. II, 924-5 and Appendix X. 3, para 42, *ibid.*, 955-6.

¹³Not available in QAP.

¹⁴Annex.

¹⁵See chart in Annexure I to No. 372, TP, XI, 696. Also see notes 7 and 8 above.

Annex to Enclosure to No. 7

IOR, L/P&S/10/81

No. 12

1 July 1947

RECONSTITUTION OF THE ARMED FORCES IN INDIA

The following communique was issued from the Viceroy's House, New Delhi, to-day, July 1st, 1947:

1. The Partition Council met yesterday morning, the 30th June, under the chairmanship of the Viceroy to consider the reconstitution of the Armed Forces. The Hon. Sardar Patel and the Hon. Dr. Rajendra Prasad represented Congress and Mr. Jinnah and the Hon. Liaquat Ali Khan represented the Muslim League. The Hon. the Defence Member, Sardar Baldev Singh, H.E. the Commander-in-Chief in India, Field Marshal Sir Claude Auchinleck and Lord Ismay were present. H.E. Sir Chandulal Trivedi, the Governor of Orissa, in view of his great experience as Secretary of the Defence Department during the war, was also present and has agreed to be available as an expert consultant in future discussions.
2. The Partition Council decided that the following general principles should govern the reconstitution of the Armed Forces:
 - I. It is essential that the Union of India and Pakistan should have each within their own territories forces which
 - a. are, with effect from the 15th August, under their own operation[al] control,
 - b. are, on the 15th August, predominantly composed of non-Muslims and Muslims, respectively, and
 - c. are, as soon as possible after the 15th August, reconstituted predominantly on a territorial basis.
 - II. The heads of the Navy, Army and Air Force of the Union of India and of Pakistan should be selected forthwith and should have authority to begin setting up their Headquarters so as to be ready to take over command by 15th August, 1947. The heads of these services will be directly responsible to their respective ministries through their Defence

Members and will have executive control of all forces in their territories.

- III. All the existing Armed Forces in India will be under a single administrative control until
 - a. they have been finally sorted out into two distinct forces, and
 - b. the two Governments are in a position to administer, i.e. to pay, feed, clothe and equip their respective forces.
- IV. Accordingly the Indian Armed Forces as a whole will for the present remain under the administrative control of the present Commander-in-Chief in India who, in his turn, will be under the Joint Defence Council. This Council will consist of
 - a. the Governor-General or Governors-General,
 - b. the two Defence Ministers, and
 - c. the C.-in-C., India.

Each of the two Defence Ministers will have a right to be accompanied to the meetings of the Joint Defence Council by one other minister and experts.

- V. In order to avoid confusion, the existing C.-in-C. will be entitled Supreme Commander with effect from 15th August until his work is completed. He will have no responsibility for law and order, nor will he have operational control over any units save those in transit from one Dominion to another. Nor will he have any power to move troops within the borders of either Dominion. His existing staff would, of course, be reduced progressively as his functions diminish.
- VI. The partition of the Armed Forces will be in two stages:
 - a. the first stage will be a more or less rough and ready division of the existing forces on a communal basis: plans should be made forthwith for the immediate movement to the Pakistan area of all Muslim majority units that may be outside that area and similarly for the movement to India of all exclusively non-Muslim majority units at present in the Pakistan area;
 - b. the next stage would be to comb out the units themselves on the basis of voluntary transfer. To this, however, there would be one exception, namely that a Muslim from Pakistan now serving in the Armed Forces would not have the option to join the Armed Forces of the Indian Union and similarly a non-Muslim

from the rest of India now serving in the Armed Forces would not have the option to join the Armed Forces of Pakistan. There would, however, be no objection to non-Muslim personnel from Pakistan and Muslim personnel from the rest of India electing to serve in the Armed Forces of the Indian Union and of Pakistan, respectively;

- c. while this reconstitution is being carried out arrangements should be put in train to ensure that each Dominion shall have as soon as possible its own administrative machinery to enable it to maintain its own Armed Forces. It is not until these two processes have been completed that central administrative control can be dispensed with. Every effort should be made not only to complete the reconstitution of units but also to provide each Dominion with its own administrative and maintenance services for its own Armed Forces by 1st April 1948, thus making it possible to dispense with central administrative control by that date. This of course does not preclude arrangements or agreements between the two Governments for sharing any administrative or training establishments.

VII. As soon as central administrative control can be dispensed with the two Governments will be free to enlarge, reduce, redesign, reorganise and nationalise their Armed Forces as they think fit.

3. The Partition Council decided to set up forthwith the following committees and sub-committees:

A. ARMED FORCES RECONSTITUTION COMMITTEE

Chairman H. E. Field Marshal Sir Claude Auchinleck, G.C.B., G.C.I.E., C.S.I., D.S.O., O.B.E., A.D.C. [to the King]

Members Vice-Admiral Sir Geoffrey Miles, K.C.B., Commander-in-Chief, Royal Indian Navy; Air Marshal H.S.P. Walmsley, C.B., C.B.E., M.C., D.F.C., Air Officer Commanding-in-Chief in India;

Lt. General Sir Arthur F. Smith, K.C.B., K.B.E., D.S.O., M.C., Chief of the General Staff;

Mohamad Ali, Esq., C.I.E., O.B.E., Financial

Adviser, War and Supply, Military Finance Department;
 G.S. Bhalja, Esq., C.I.E., I.C.S., Additional Secretary, Defence Department.
 Secretary Colonel H.V.S. Muller, I.A., Secretary, C.-in-C.'s Secretariat

B. SUB-COMMITTEES

I. NAVY SUB-COMMITTEE

Chairman Commodore J. W. Jefford, O.B.E., R.I.N.
 Members Commander A.B. Goord, D.S.O., R.I.N., Staff Officer (Plans), Naval Headquarters;
 Commander J.C. Mansell, R.I.N., Commander (Administration), Naval Headquarters;
 Commander H.M.S. Choudri, R.I.N., Staff Officer (Naval Appointments), Naval Headquarters;
 Commander B.S. Soman, R.I.N.;
 Lt. Commander (E) D. Shankar, R.I.N.;
 Lt. Commander (E) I.K. Mumtaz, Deputy Director of Engineering, Naval Headquarters.
 Secretaries Lt. Commander (S) A.R.N. Husain;
 Lt. (S) C.J. Munsiff.

II. ARMY SUB-COMMITTEE

Chairman Major-General S.F. Irwin, C.B., C.B.E., I.A., Deputy Chief of the General Staff (A)
 Members Brigadier G.V.L. Coleman, O.B.E., I.A., Deputy Director of Organisation (C), Adjutant-General's Branch;
 Brigadier K.M. Cariappa, O.B.E.;
 Brigadier S.B.S. Chimni, O.B.E., Inspector, R.I.A.S.C., Quartermaster-General's Branch;
 Brigadier K.S. Thimayya, D.S.O., Comdr., 5 Inf. Bde.;
 Brigadier A.M. Raza, Director of Selection of Personnel, Adjutant-General's Branch;
 Colonel T.H. Angus, D.S.O., I.A., Director of Air, General Staff Branch;
 Colonel Moh[amma]ld Sher Khan, M.C., Deputy Director of Military Training, General Staff Branch;

	Lt. Col. H.W. Newell, 16 Punjab Regiment, Quartermaster-General's Branch;
	Lt. Col. Akbar Khan, D.S.O., Frontier Force Rifles, Bn. Comdr., I.M.A., Dehra Dun.
Secretaries	Major H.I. Ahmed, 3rd Cavalry;
	Major G.G. Bewoor, The Baluch Regiment.

III. AIR FORCE SUB-COMMITTEE

Chairman	Air Vice Marshal A.L.A. Perry-Keene, C.B., O.B.E., Air Officer in Charge of Administration, Air Headquarters (India)
Members	Air Commodore G.W. Birkinshaw, C.B., Senior Technical Staff Officer, Air Headquarters (India);
	Air Commodore S. Mukerjee, O.B.E., Deputy Air Officer in Charge of Administration, Air Headquarters (India);
	Group Captain D.H.F. Barnett, C.B.E., D.F.C., Group Captain Air Staff (Plans), Air Headquarters (India);
	Group Captain A.M. Engineer, D.F.C., Group Captain (Personnel Services), Air Headquarters (India);
	Wing Commander M. K. Janjua, Wing Commander (Manning), Air Headquarters (India);
	Squadron Leader M. A. Khan, Chief Flying Instructor, R.I.A.F. Station, Ambala.
Secretaries	Wing Commander Arjan Singh, D.F.C., O.C., R.I.A.F. Station, Risalpur;
	Flight Lt. H. Bhatti, (Manning), Air Headquarters (India).

Note. Either two financial experts will be added to each of the three sub-committees as members or a panel of two such experts would be added to serve them, all as advisers.

4. The Partition Council decided that the terms of reference of the Armed Forces Reconstitution Committee should be as follows: In close consultation with the Steering Committee acting under the orders of the Partition Council, to make proposals for the division of the existing Armed Forces of India, namely, the Royal Indian Navy, the Indian Army and the

Royal Indian Air Force (including the various installations, establishments and stores owned by the present Defence Department of the Government of India) in accordance with the principles set out in paragraph 2 above. The Committee will work on the following assumptions:

- I. Existing members of the Armed Forces serving in either State will be governed by their existing terms and conditions of service. If subsequently new terms are promulgated and if they do not desire to serve on those new terms they will be allowed to terminate their services and to permanent personnel proportionate benefits will be admissible.
- II. Any Indian officers or other ranks it may be necessary to engage for service in the Armed Forces between now and the date of the transfer of power should be engaged under existing terms and conditions of service; with the option of resigning from the service should they not wish to serve on under any new terms or conditions which may be imposed by the new Dominion Governments.
- III. The liability for non-effective charges in respect of pensions, gratuities, annuities, etc., earned by Indian officers and other ranks of the three services prior to the transfer of authority to the new Dominion Governments will be undertaken by these Governments.
- IV. Except as demanded by the processes of reconstitution of the Armed Forces there shall be no changes in the basic organisation and nomenclature of formations, units, establishments and installations of the three services or in the class composition of units until such reconstitution is completed.
- V. For the successful division of the Armed Forces the services of a number of British officers now serving in them will be required. Therefore, the implementation of the new plan for complete nationalisation may take longer than was anticipated.

8

*M. A. Rahim to Ghulam Hussain Hidayatullah
(Copy to M. A. Jinnah)¹*

F. 162/148-9

RAHIM MANZIL, G. T. ROAD,
JULLUNDUR CITY,
1 July 1947

Sir,

Sub[ject]: Cement Factory at Karachi

Cement is a necessity in the modern building materials. Its demand is increasing day by day. At present there is no Muslim manufacturer of cement in the whole of India. It was due to difficulty of getting licence from Hindu masters for the installation of a factory.

By the grace of God the difficulty has now been removed by the establishment of a Muslim free state, i.e. Pakistan. Factories with Muslim capital should be installed as early as possible. Sind is to be developed first of all. It is therefore necessary to begin with installation of a cement factory in Karachi.

Pakistan will require modern types of buildings for Government offices and for the people to live in. If no cement industry is started now, naturally the money will go to others. To stop the flow of money into others' pockets, it is necessary to instal a factory in Karachi as soon as possible. Enormous deposits of necessary raw materials are available here.

We approached and tried our best to get a permit from the Central Government but this fetched no result.² We are told that a permit to duplicate the existing plant of Dalmia³ (at Drigh Road) is sanctioned. This evidently means to encourage Hindu capitalists in a Muslim-majority province. May we request you to kindly reject this permit and issue a new permit to us.

Times require that no more hours should be wasted in thinking and making schemes. On hearing from you the Company now on paper, will be brought into existence.

Leading businessmen such as Messrs. Ispahani, Haroon⁴ etc. will be approached to become directors of the Company. Our Managing Director, Mr. Rahim, who is a cement expert having over 20 years' experience in India and 5 years' abroad, called upon you once or twice and

told you [of] the full scheme. You, in return, gave him the understanding to do the necessary when the time comes.

We think it is now just the time to start this factory in Karachi. If necessary, we can send our representative to you once more.

Thanking you in anticipation for your prompt attention and early reply,

Yours faithfully,
M. A. RAHIM

Sh. Ghulam Hussain Hidayatullah,
Premier [Sind],
Karachi

¹Also see No. 14.

²For the applications to the Government of India for permission to instal cement factories and Government's rejection thereof, and prospectus of the Company, see F. 162/152-62, QAP. Not printed.

³Ram Krishna Dalmia, an Indian industrial magnate.

⁴Yusuf A. Haroon.

Enclosure to No. 8

F. 162/151

OFFICE OF THE PUNJAB PROVINCIAL MUSLIM LEAGUE,
CINEMA SQUARE, MCLEOD ROAD, LAHORE,
16 January 1947

My dear Yusuf,

Mr. Abdul Rahim¹ is probably the only cement expert. He has done a great deal for Dalmia. Unfortunately, our nation has not so far taken interest in this vital industry. He has decided to create that interest. I am, therefore, sending him to you to kindly discuss the scheme with him and give him all necessary help and encouragement.

Best regards,

Yours etc.,
SARDAR SHAUKAT HAYAT KHAN

¹For the testimonial given by Currimjee Jewanjee & Co., employers of Abdul Rahim, see F. 162/150, QAP. Not printed.

9

Mrs K. L. Rallia Ram to M. A. Jinnah

F. 487/92-3

5 MASSON ROAD, LAHORE,
1 July 1947

Dear Mr. Jinnah,

I am forwarding to you the editorial of the *Tribune*¹ of the 30th [June]. The first part of it is a disgusting reading. It is a pity that the editors of newspapers should make such provocative attacks on leaders of your type. They even forget the ordinary decency of manners when they make such personal attacks on you. The Hindus have become blind to everything Muslim today; they even cannot recognize Muslim genius and intellect concentrated in you.

The second part is a thorough analysis of the grouping system² as a Hindu sees it. They see its flaws as well as its advantages. I don't think you could be having time to read all the papers. It is for this reason that I keep sending you all the important opinions of the newspapers.

Your statement on the abandonment of interim scheme³ is a brilliant analysis of all that has happened. I hope all the western correspondents will send its full contents to England as well as America to let the West know how everything has been bungled here. The Hindu press gave just a brief extract of it.

Sincerely yours,
MRS. K. L. RALLIA RAM

¹Not available in QAP.

²Presumably refers to the "grouping system" envisaged in the Cabinet Mission Plan. See Appendix. III. 1, Vol. I, Part II, 32-42.

³Jinnah issued no statement regarding abandonment of the Interim Government. During discussion on the reconstitution of the Central Government, he asked the Partition Council not to do "anything which would make it appear that it was the Congress which would have the authority while the League would be merely a watch-dog" and followed it up with a note to Mountbatten regarding legal implications of the matter. See Enclosure to No. 311, Vol. II, 589-95. Also see No. 437, para 2, TP, XI, 805.

10

Squire,¹ Kabul, to Government of India²

Telegram, F. 2/142

SECRET/IMMEDIATE
OTP 188

KABUL,
1 July 1947³

No. 53-KATODON

Katodon 51⁴ I spent 2 hours with Sardar Hashim Khan ex-Prime Minister yesterday. He spoke bitterly of His Majesty's Government's (group omitted; failure?) to consult Afghanistan about future of Pathans before making announcement of June 3rd.⁵ As Prime Minister he had raised question over two years ago but had received no satisfaction. It was now clear to him that His Majesty's Government was determined to ruin Afghanistan. He had laboured for over 17 years to improve relations and this was his reward. It was a bitter blow. He was personally friendly but unreasonable.

2. I said that I had hoped that he would help to curb this propaganda campaign. In reply Hashim Khan asked whether I was unaware of the situation in the country; he had no intention of inviting assassination as a traitor to his country by opposing popular sentiment. If we did not listen to him now there was nothing that Afghan Government could or would do against us but we should perpetuate an injustice and leave behind a legacy of unrest that would involve us all including Afghanistan in ruin and lay open India to Russian aggression. I cannot account for this outburst. Hashim may well be shocked at mess made by his brother⁶ during his absence but I do not believe situation of present Government is as bad as he feels to be.

3. Government of India telegram No. 504⁷ only reached me after this interview but from the above it seems hardly likely that assurance in para 5 thereof will have any deterrent effect. I still think that the safest course would be some sort of assurance as originally suggested in para 5 of my telegram No. 47⁸ but neither the announcement of June 3rd nor Government of India's reply in para 4 of their telegram is explicit on this point.

4. I should welcome American co-operation if there is any chance of this being obtained in time. Fortunately Palmer⁹ has just been ordered to report to State Department on tribal situation and is at last coming to us for information which we shall of course give him.

¹Giles Frederick Squire, British Minister at Kabul, 1943-47.

²External Affairs and Commonwealth Relations Department. The telegram was repeated to the British Foreign Secretary and the Governor, NWFP.

³The telegram was sent on 1 July 1947 (Time of Origin: 1730 hrs.) and received on 2 July 1947 (Time of Receipt: 0615 hrs.).

⁴See No. 221, Vol. II, 431-2.

⁵No. 1, *ibid.*, 1-6.

⁶Presumably refers to Sardar Shah Mahmud Khan, Prime Minister of Afghanistan, 1947.

⁷Not available in QAP.

⁸Appendix IV.3.

⁹Joseph Palmer, an American diplomat stationed at Kabul.

11

Mohammad Irfan Ansari to M. A. Jinnah

F. 162/144-6

CHANDNI CHOWK, DELHI,

2 July 1947

Sub[ject]: Establishment of Radio and Electric goods manufacturing industry in Pakistan area

Dear Sir,

First of all we congratulate you on your marvellous success in creating an indepen[den]t and separate State of Muslims in the form of Pakistan, despite severe opposition and endless obstruction and hindrance. Your enthusiastic struggle is, in reality, praiseworthy and worth remembering. May long live our Quaid-i-Azam!

2. It is noted with much regret that Hindus are trying to penetrate [*sic*] the hearts of Muslims in [*sic*] their repeated declarations and speeches pointing out the want of industries in Pakistan,¹ without which, they argue, livelihood is just like beasts [*sic*] and for which Pakistan shall have to depend on Hindustan. They are very glad to see Pakistan without industry. When our Quaid-i-Azam has achieved a glorious success in creating a State of Muslims, we the industrialists, his followers, must help him in the industry line in such a way that he may be able in replying [*sic*] the harsh criticism in the same way as he [*has*] done in the political line.

3. Considering this point of view and other advantages which have been explained ahead, we have decided to prove that Pakistan, the country of Muslims, would be a highly competitive industrial country throughout the world in the production of modern goods i.e. radio sets complete, radio spare parts, radio valves, electric lamps, electric motors, electric wire of all kinds, refrigerators, electric house-hold

appliances, talkie projectors, projector spare parts, amplifiers, and other thousand kinds of goods concerning this line, for which we intend to start a factory in Pakistan area at Karachi on a large-scale.

[Paras 4 & 5 omitted]

6. In order to start this factory, an investment of Rs. two crore is required, for which we have decided to make it a limited concern. We therefore require your kind patronisation as well as the appointment of a few leading Muslim leaders *[sic]* as Directors of this limited concern. We desire to issue 1,000,000 ordinary shares of Rs. 10 each and 100,000 preference shares of Rs. 100 each. A copy of Memorandum and Articles of Association of the proposed scheme which is under preparation will be sent to you as soon as it is ready in all respects.

[Para 7 omitted]

8. We therefore request you *[to]* kindly consider over *[sic]* this industry very carefully and support our scheme if it is found beneficial to the country and the nation. If anything is to be clarified we would be glad to explain the same in a very lucid manner. Hoping to receive your consent in this matter.

Yours faithfully,
MOHD. IRFAN ANSARI
Managing Director,
for Modern Sound Equipment Company

¹See Annexes I and II to No. 49, Vol. II, 106-9.

12

Ghulam Mohammed to M. A. Jinnah

F. 264/4

7 ALBUQUERQUE ROAD, NEW DELHI,
2 July 1947

Dear Quaid-i-Azam,

I enclose a list of persons who, in my view, deserve to be considered for certain high positions indicated. I regret the delay.

Yours sincerely,
GHULAM MOHAMMED

*Enclosure to No. 12**F. 264/5*

GOVERNORS AND AMBASSADORS

[Syed] M. Sa'adullah¹
 Sir M. Zafrullah Khan²
 Khwaja Nazimuddin³
 Firoz Khan Noon⁴
 Liaquat Ali Khan⁵
 Chaudhry Khaliq-uz-Zaman⁶
 Sardar Abdur Rab Nishtar⁷
 Sir Mahomed Usman⁸
 Zahid Husain⁹

¹Chief Minister, Assam, 1942-46.

²Judge, Federal Court of India, 1941-47; Constitutional Adviser to Nawab of Bhopal, 1947.

³Member, AIML Working Committee; Chief Minister, Bengal, 1943-45.

⁴Member, Viceroy's Executive Council, 1942-45.

⁵Member for Finance, Interim Government, 1946-47.

⁶Member, AIML Council; Member, UP Legislative Assembly, 1946-47.

⁷Member for Posts and Air, Interim Government, 1946-47; Member, AIML Working Committee.

⁸Member, Viceroy's Executive Council, 1942-46.

⁹Financial Commissioner, Railways, 1943-46; Vice-Chancellor, Muslim University, Aligarh, 1947.

13

*Louis Mountbatten to M. A. Jinnah**F. 2/141*

THE VICEROY'S HOUSE,
 NEW DELHI,
 2 July 1947

Dear Mr. Jinnah,

I must confess I was astounded when you informed Sir George Abell this morning that you would not be able to let the King have your advice¹ about the future Governor-General by Friday [4 July], for the reasons which he reported.

I should be glad if you would look in and see me² when you have

*Enclosure to No. 12**F. 264/5*

GOVERNORS AND AMBASSADORS

[Syed] M. Sa'adullah¹
 Sir M. Zafrullah Khan²
 Khwaja Nazimuddin³
 Firoz Khan Noon⁴
 Liaquat Ali Khan⁵
 Chaudhry Khaliq-uz-Zaman⁶
 Sardar Abdur Rab Nishtar⁷
 Sir Mahomed Usman⁸
 Zahid Husain⁹

¹Chief Minister, Assam, 1942-46.

²Judge, Federal Court of India, 1941-47; Constitutional Adviser to Nawab of Bhopal, 1947.

³Member, AIML Working Committee; Chief Minister, Bengal, 1943-45.

⁴Member, Viceroy's Executive Council, 1942-45.

⁵Member for Finance, Interim Government, 1946-47.

⁶Member, AIML Council; Member, UP Legislative Assembly, 1946-47.

⁷Member for Posts and Air, Interim Government, 1946-47; Member, AIML Working Committee.

⁸Member, Viceroy's Executive Council, 1942-46.

⁹Financial Commissioner, Railways, 1943-46; Vice-Chancellor, Muslim University, Aligarh, 1947.

13

*Louis Mountbatten to M. A. Jinnah**F. 2/141*

THE VICEROY'S HOUSE,
 NEW DELHI,
 2 July 1947

Dear Mr. Jinnah,

I must confess I was astounded when you informed Sir George Abell this morning that you would not be able to let the King have your advice¹ about the future Governor-General by Friday [4 July], for the reasons which he reported.

I should be glad if you would look in and see me² when you have

finished your meeting today to let me know what answer you wish me to telegraph to London.³

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Mountbatten had also previously asked Jinnah to nominate the Governor-General of Pakistan. See No. 328, Vol. II, 629-30.

²Jinnah met Mountbatten later that day and told him of his intention to be the Governor-General of Pakistan, adding that he had been so advised by some of his confidants; the Viceroy doubted that, though. See Appendix III.6, paras 23-4.

³A marginal minute of 2 July in Jinnah's hand reads, "It was arranged after a long interview that a reply to be given on or before Friday 4th".

14

M. A. Rahim to M. A. Jinnah

F. 162/147

RAHIM MANZIL, G.T. ROAD,
JULLUNDUR CITY,
2 July 1947

Respected Sir,

PAKISTAN CEMENT

Enclosed herewith [are] copies of correspondence¹ passed between us and the Government of India's Industries Department to start a cement factory in Karachi. Unfortunately we have not succeeded in our aim due to the fact that the department is under Hindu masters. Our representative went to Karachi and called upon the people concerned and got the case recommended to the Central Government but in vain.

By the grace of God, the difficulty has now been removed by the establishment of a Muslim free State, i.e. Pakistan.

You are requested to kindly do the needful to permit us to start a cement factory in Karachi as soon as possible.

Thanking you in anticipation for your prompt action and reply,
With regards,

Yours gratefully,
M. A. RAHIM
Managing Proprietor,
for M. A. Rahim & Sons

¹See F. 162/152-9, QAP. Not printed.

15

H. K. Sherwani¹ to P. S. to M. A. Jinnah

F. 683/346

Bismillah 'ir Rahman 'ir Rahim

MUSTAFA MANZIL,
HYDERABAD DECCAN,
2 July 1947

My dear Sir,

Will you kindly bring a matter of the most vital importance to the Musalmans before the Quaid-i-Azam? On arrival here in Hyderabad a couple of days ago I met some prominent Hyderabadis who had performed the Hajj this year, and they related to me a story which they had heard from high personages in the Hijaz and Yemen and which I am² taking the liberty to bring to the notice of our beloved Quaid-i-Azam through you. It seems that England does not wish to govern even the Crown Colonies and Protectorates directly but is going to hand them over to the Dominions nearest to them. We know that the Holy Land of Arabia is, to the great shame of the Musalmans, hedged in on all sides by British influence, such as Masqat [Muscat], Shehr [Ash Shihr], Mukalla [Al Mukalla], Socotra, Hadramaut [Hadhramout], Yemen and the littoral Perim, Kamran [Kamran], etc. Now the news which this year's pilgrims have brought back is that this fringe of Arabia is to be handed over to that enemy of ours, General Smuts³ and his Union of South Africa. It would indeed be a calamity if conditions in Arabia are made worse than what they are now, with the South African bigots riding astride the land which is dearest to us. Our Quaid-i-Azam is the *Mujaddid* of this era, and one feels that if he takes the matter up, the Musalmans will, by God's grace, be saved from a great catastrophe.

I am writing this to you with the request that you will very kindly place it before the Quaid-i-Azam, and beg him to consider the whole matter.

Yours sincerely,
H. K. SHERWANI

PS. I am enclosing a humble cheque for Rs. 100 in aid of the Quaid-i-Azam Fund⁴ which may kindly be accepted as being donated on the occasion of my daughter's marriage.

H. K. SHERWANI

¹Principal, Anglo-Arabic College, Delhi, 1946-47.

²Underlined here and subsequently in the original.

³Field Marshal Jan Christiaan Smuts, Prime Minister, Union of South Africa, 1939-50.

⁴Probably refers to Pakistan Fund. See No. 128, Vol. II, 297-9.

16

Walter Monckton to M. A. Jinnah¹

F. 801/1-2

CONFIDENTIAL

GOVERNMENT GUEST HOUSE,
HYDERABAD DECCAN,
3 July 1947

My dear Mr. Jinnah,

I am now planning to return to Delhi² on Wednesday next.³ In the meantime, I have had a letter from my Personal Assistant⁴ whom I sent to London to tell me that he has discussed Hyderabad problems with many of my old colleagues on the Opposition Front Bench. Among others, he has spoken to Lord Templewood⁵ who thought it very important that the Bill⁶ should be carefully scrutinised by you and me. I shall not be able to see it until I get to Delhi, though I have seen a clause or two; you, on the other hand, are no doubt already very familiar with it. My P.A. tells me that, as it now stands, it bears the imprint of Sir Stafford Cripps⁷ in many places. I gather that the present programme is to get over the first and second readings as soon as possible after the 10th of this month and to conclude the stages of the Bill towards the end of the month.

It has not been altogether easy to understand the full purport of what my P.A. has tried to send to me in code, but I gather that he has formed the opinion from the discussions he has had on my behalf that one of your careful and moderately critical speeches covering the points affecting both Pakistan and Hyderabad⁸ would be a great help to those who would like to espouse our cause in the Parliamentary debates. I hope you will forgive me for passing on this information to you, but I should not feel happy if I did not do so. I shall look forward to seeing you in Delhi next week.

Yours very sincerely,
WALTER MONCKTON

¹Also see Nos. 34 and 150, Vol. II, 86 and 322-3, respectively.

²Monckton was acting as Nizam's emissary. See Appendix VIII, 1 and 2, *ibid.*, 886-92.

³9 July 1947.

⁴Harry Gordon, 1946-47.

⁵British Conservative statesman who, as Sir Samuel Hoare, Secretary of State for India, had piloted the Government of India Act 1935 in the House of Commons.

⁶Enclosure I to No. 1.

⁷President of the British Board of Trade; Member of the India and Burma Committee of the British Cabinet.

⁸Jinnah had clarified ML policy towards States in a statement issued on 17 June. See Annex to No. 144, Vol. II, 316-7. Nizam had also issued a *Firman* on 11 June, indicating that Hyderabad

would like to be an independent sovereign state after the withdrawal of the British from India. See Enclosure to No. 109, *ibid.*, 191-2. Jinnah reiterated his views in another statement on 30 July. See the *Pakistan Times*, 31 July 1947.

17

*Note by M. A. Jinnah on the Draft Indian Independence Bill*¹

F. 2/159-62²

3 July 1947

*Clause 2*³

The territories of the Dominion of India should also be defined in the same way as those of Pakistan have been defined as otherwise the impression will be created that the new Dominion of India succeeds to whatever is not specifically transferred to Pakistan which in fact is not the case.

One result of the manner in which the Dominions of Pakistan and India have been defined is that the Andaman and Nicobar Islands have been allotted to India although they have never formed the subject of discussion or agreement between the two parties at any time and this sudden inclusion in and allotment to India raises a very grave issue. Neither historically nor geographically they are part of India. They were British possessions which were administered by the Central Government, but were to be excepted from the competence of the Federal Ministers, being reserved to the Governor-General under the Constitution Act of 1935. Therefore they are not in the same category as the other Chief Commissioner's Provinces. The majority of the population of these Islands consists of tribes who are not connected with the peoples of India by ethnical, religious or cultural ties. Pakistan's claims to these Islands are very strong, inasmuch as the only channel of communication between the eastern and western parts of Pakistan will be by sea and these Islands occupy an important strategic position on the sea route involved. They could also serve to provide convenient refuelling bases for vessels plying between the two parts of Pakistan.

On the other hand, no such pressing considerations could be urged in favour of allotting them to the Dominion of India. These Islands should consequently form part of Pakistan. If no decision is feasible on this point immediately, these Islands should be specifically excluded from the scope of the present Bill to be dealt with later on separately.⁴

*Clauses 3*⁵ *and 4*⁶

It has been agreed between the parties that they would be bound by the awards of the Boundary Commissions. These clauses fail to embody the

agreement that the Governor-General is bound to accept and give effect to the awards inasmuch as it is stated in Clauses 3 and 4 that the Governor-General will determine the boundaries *in the light of*⁷ (and not in accordance with) the awards of the Commissions, before the 15th August 1947 and further the determination of boundaries is made to depend upon agreement between the Dominions after that date which again is wrong as the Dominions would be bound by the awards of the Boundary Commissions. It is therefore imperative that provision should be made in the Bill for making the awards of the Boundary Commissions final and binding on the two Dominions so that the boundaries are determined strictly in accordance with the terms of the awards of the Commissions concerned.

*Clause 6 (2)*⁸

It is presumed that the legislatures of either Dominion would be competent *inter alia* to pass any Act which may be repugnant to the provisions of the Indian Independence Act, 1947 or to amend or repeal this Act. This may be clarified by a suitable amendment of the clause.

*Clauses 9⁹ and 11*¹⁰

It may be made clear by a suitable amendment that where the Order or other Act concerns both Dominions the Governor-General would exercise the powers vested in him by these clauses, in his individual judgement, i.e., he would not be bound by the advice of ministers in this regard. The period after the appointed day, mentioned in sub-clause (5) of clause 9 may be extended up to the 31st of March 1948 since six months may not provide a sufficient period of time for giving effect to the provisions of these clauses.¹¹ In sub-clause (4) of clause 9, it should be made clear that until the 31st of March, 1948, the powers of repeal and amendment possessed by the legislatures of the two Dominions would not extend to orders of the Governor-General which concern both of [*sic*] the Dominions.

*Clause 19 (3) Proviso*¹²

This Proviso allows representatives of tribal areas generally to participate in either of the two Constituent Assemblies. According to H.M.G.'s Statement of the Plan of 3rd June 1947, agreements with tribes of the N.W. Frontier of India will have to be negotiated by the appropriate successor authority. It should therefore be specifically provided in the Bill that the appropriate authority to negotiate with the tribal areas on the N.W. Frontier shall be the Dominion in which the N.W.F.P. is included. The same principle applies to the tribal areas in Baluchistan and on the N.E. Frontier of India.

*General*¹³

As observed above, it has already been agreed by the parties that the awards of the Boundary Commissions shall be binding on both the

parties. With regard to matters covered by clauses 9 and 11, which concern both Dominions, the principle has been accepted by the parties that if a difference of opinion arises between the two Dominions, the dispute will be referred to an arbitration tribunal whose award shall be final, though the personnel of such a tribunal is still under consideration. Provision should be made in the Bill so as to make it clear that the awards shall be binding on both the Dominions.

Moreover, it is absolutely necessary that provision should be made in the Bill for setting up an authority with sanction behind it, which could enforce the awards that may be made by the Boundary Commissions and the Arbitration Tribunal. If such provision is not made, the result would be that any Dominion dissatisfied with an award may refuse to carry it out. This would create a very serious situation and lead to very grave consequences as there would be no means left to enforce the execution of the terms of the award. We consider that H.M.G. is the only appropriate authority that should undertake and guarantee that the awards that may be made, will be given effect to and carried out in all respects. This guarantee will only remain in force till such time as the partition is finally and completely effected. This would necessitate consequential amendments in certain clauses of the Bill.

The view has been put forward in the points for discussion¹⁴ furnished to us that the new Dominion of India will continue the international personality of the existing India. In other words, it is being contended that the Dominion of India alone will be the successor to the present Indian Government in the international sphere. We strongly contest the correctness of this view and would be entirely opposed to any amendment of the Bill intended to give effect to this view, directly or by implication. The correct position is that there are going to be set up two independent Dominions as successors to the existing Government of India which disappears altogether as an entity.¹⁵

¹For the objections raised informally by the ML on the Draft Bill in the morning session on 2 July, see Annex I to No. 1. For the informal objections raised by ML during the afternoon session, see Annex II to *ibid.*

²This document bears the caption "Our Comments on the Bill" in Jinnah's own hand. A draft of this note is available in F. 2/155-8, QAP.

³The clauses mentioned herein refer to those of the Draft Bill. See Enclosure 1 to No. 1.

⁴Congress disputed ML claim to the Andaman and Nicobar Islands. See Enclosure to Annex V to *ibid.*, Clause 2.

^{5 & 6}Congress was agreeable to the ML suggestion and the relevant clauses were accordingly amended. See Enclosure to Annex V to No. 1.

⁷Underlined in the original.

⁸See notes 5 and 6 above.

^{9 & 10}Congress opposed the ML suggestion for the exercise by the Governor-General of his

powers in his individual judgement, but the Viceroy supported it. See Enclosure to Annex V to No. 1, Clauses 9 and 11. However, the Congress contention was accepted by the Secretary of State. See Appendix I. 8.

¹¹See Enclosure 3 to No. 1, Section II. The Congress also agreed to the substitution of "31 March 1948" for "six months from the appointed day". See Annex IV to No. 1, Clause 9 (5). The amendment was accepted.

¹²Congress had originally objected to the Proviso as being "vaguely worded" and recommended its substitution by a new sub-clause, numbered 3A, text of which was supplied. See Annex IV to No. 1. They objected to the ML suggestion. See Enclosure to Annex V to No. 1. Mountbatten supported the Congress proposal and recommended addition of a proviso to the new sub-clause proposed by Congress to partially accommodate the ML point of view.

¹³Congress strongly objected to the ML suggestion that "HMG or any other external authority" should enforce the awards and that implementation of the awards "should be left to the good sense of the two states concerned". See Enclosure to Annex V to No. 1. Mountbatten also did not agree stating that "I told Mr. Jinnah that no sanction would be accepted by Congress or be enforceable by HMG". See Appendix I. 6.

¹⁴Enclosure 3 to No. 1.

¹⁵Congress was vehemently opposed to the ML point of view and had been pressing for international status as successor to British India. See Enclosure to Annex V to No. 1, Clause 2.

18

Mir Mohammad Shafi to M. A. Jinnah

F. 162/170-1

LADHA SINGH STREET,
GUJRANWALA, PUNJAB,
3 July 1947

Respected Quaid-i-Azam,

Our cherished goal of Pakistan has been achieved. Our next job is to see that we are able to run the Government of our country in the best possible way. This requires the selection of the best talent available in the nation.

All the civilised nations have admitted the fallibility of the interview as the only method of selection for public services, both in the Civil and the Army, and have therefore adopted the scientific method of selection by means of the new psychological methods.

Here the complete personality of the individual is evaluated and his fitness for selection is judged against the traits required for the job.

An individual is chosen or preferred to another for a particular job by a method comprising analysis and synthesis. A job on the one hand is analysed into its various aspects, e.g. minimum physical, mental, temperamental and attainable qualifications required for it.

On the other hand, each individual available for that job is analysed by the use of psychological tests. The important factors to be judged being:

- a. physical fitness
- b. intelligence

- c. aptitude
- d. attainments, both academic and professional, and
- e. temperamental and attitudinal characteristics.

This development of selective testing represents one of the most important advances in social science[s] in the country. Its implications are far-reaching and by care in selection a major contribution will be made to efficiency and the best use of available resources for the benefit of our country.

These methods are still in use in the Directorate of Selection of Personnel, Army Headquarters, Meerut. The Government of India in 1945 also introduced the same in selecting war service candidates for appointments in I.C.S., I.P. and Central Services. When the Congress came into power, Sardar Patel and his lieutenants in the Home Department did not evaluate its correct utility and so abolished the Employment Selection Bureau in May 1947, which was started in 1945 by Sir F. Mudie, the then Home Member.

I was one of the Psychological Testing Officers, the only Muslim in the Bureau, and worked for five months and am thoroughly acquainted with the new methods and shall be available and [only] too willing to start a similar Bureau for the Pakistan Government, if approved.¹ I may add that after we have dealt with the immediate need of selection for services we can extend our sphere towards education and industry. I may submit that this will not only provide best workers but also save us from criticism for manning the various departments with the favourites of the few influential persons and marring your fair name.

Yours faithfully,
MIR MOHAMMAD SHAFI
M.A., LL.B.

¹Curriculum vitae and service certificate not printed.

19

Commander, Lahore Sub-Area, to M. A. Jinnah

F. 757/168

No. 700/108/Q

HEADQUARTERS, LAHORE SUB-AREA,
4 July 1947

Dear Sir,

With reference to this HQ No. 700/108/Q of 1 May [19]47.¹

GHQ(I)² have now issued orders that, as an act of grace, your house

No. 53, Lahore Cantt. is to be derequisitioned and handed over to you by 1 Aug[ust] [19]47. Action is in hand to give effect to these orders but I regret that it will not be possible to have the house put back in its original condition by that date owing to calls on our engineering resources arising out of present conditions.

I estimate that the work will be completed by 31 Aug[ust] [19]47 and have informed GHQ accordingly.

I trust that you will be kind enough to accept the delay involved.

Yours faithfully,

R. A. HARRIS

Colonel for Brigadier

Commander, H.Q., Lahore Sub-Area

¹Appendix I. 88, Vol. II, 786.

²General Headquarters (India).

20

C. E. Gibbon to M. A. Jinnah

F. 674/8

13 JAIL ROAD, LAHORE,

4 July 1947

Dear Mr. Jinnah,

I have not written for sometime as I have been busy organising the Association.¹ I am happy to say that we are growing in strength daily in spite of pro-Congress efforts to cause a split in the community in Pakistan.

On June 23 the two Christian members² of the Punjab Legislative Assembly and I voted with the League against partition and for the Pakistan Constituent Assembly.

Today we met to elect members to the three General seats from West Punjab, in the Pakistan Constituent Assembly, and were swamped out by Congress. Our candidate, Dewan Bahadur S. P. Singha, was cried [*sic* for shouted] down by the Hindu Group as being pro-League, and in spite of our best efforts to get him elected, were [*sic*] defeated.³

This, however, has not left us downhearted. We have established the fact that it is no longer possible for the Christian and Anglo-Indian minorities to be classified under "General",⁴ and we sincerely hope you will remember us when your Constituent Assembly begins its work.

Dewan Bahadur Singha is, I understand, writing to you separately.⁵
With my best wishes,

Yours loyally,
C. E. GIBBON, MLA,
Founder President,
Anglo-Indian Association of Pakistan

¹See No. 11, Vol. II, 36-40.

²Fazal Ilahi and S. P. Singha. See No. 304, TP, XI, 566-7.

³Lala Bhim Sen Sachar and Autar Narain, Congress nominees were elected. Rai Bahadur Ganga Saran was elected as an independent candidate. See the *Pakistan Times*, 5 July 1947.

⁴See Appendix II. 1, para 18, Vol. I, Part II, 38.

⁵No. 99.

21

H. L. Ismay to Liaquat Ali Khan

F. 2/175

THE VICEROY'S HOUSE,
NEW DELHI,
4 July 1947

My dear Mr. Liaquat Ali Khan,

I send you herewith an extract from a telegram¹ which I have just received from the India Office on the question of a constitutional lawyer and draftsman.²

I have had very good reports of Mr. Ivor Jennings and you might like to approach him direct.

Please let me know as soon as possible whether you want me to ask Sir Archibald Carter³ to sound Professor Hollond or Mr. R. Y. Jennings.

Yours sincerely,
ISMAY

PS. I am flying to England tomorrow morning and so perhaps you would send your reply to Sir Eric Mievile.

¹Enclosure.

²See No. 127, Vol. II, 296-7.

³Permanent Under-Secretary of State at the India Office.

*Enclosure to No. 21**F. 2/176*

Following names have been suggested for constitutional lawyer and draftsman:

1. W. Ivor Jennings, Vice Chancellor, Ceylon University, understood to be one of the best constitutional lawyers.
 2. Professor H. A. Hollond, Trinity [College,] Cambridge, who is Professor [of] English Law. Was responsible for re-drafting University Statutes. He is said to be very public-spirited and of great ability.
 3. R. Y. Jennings, Fellow of Jesus College, [Cambridge,] and University Lecturer in Law. Possibly somewhat lacking in experience but thoroughly sensible and competent.
2. None of the suggested candidates has been approached and I cannot say either whether they would accept or if they can be released from their present appointments. If you want Ivor Jennings I assume you will get in touch with him direct. Please telegraph whether you wish me to approach either (2) or (3).
3. How about conditions of service? Will Mr. Jinnah leave it to us to settle on reasonable terms?

22

*Ali Yavar Jung to M. A. Jinnah**F. 318/1-4*

[HYDERABAD, DECCAN],
4 July 1947

My dear Mr. Jinnah,

Sir Walter¹ and I were both hoping to be in Delhi today but have had to alter our plans. I thought I would be able to mention two things personally to you, gathered by way of information, but as we will not be leaving until next week, I am writing.

The first thing is that *I know*² that in his heart of hearts the Viceroy is not in favour of Pakistan and is (as completely as possible) under the influence of Congress (not necessarily Nehru). I am *sure* of this information. Of course you know best.

The second thing is that Congress will try its best (and has in fact produced a formula to that effect) that the contemplated Standstill Agreements should not be with both the successor governments but only with the one which falls in the zone to which the particular State belongs (thus

Hyderabad with Hindustan or India only). I hope this will not come about and it cannot only if the Muslim League insists the other way about. We would of course also refuse to negotiate with Hindustan alone.

Sir Walter may have told you of the troops stationed here which are likely to continue after August 15—virtually a Congress Army of Occupation (with an Armoured Brigade) in State territory. We are not going to accept it but technical difficulties in the way of evacuation at such short notice are likely to be raised and Patel had the cheek to say that our demand for evacuation was an “affront”. Actually it is an “affront” to keep the troops here after August 15. If there could be joint Muslim League-Congress control over those troops until evacuation we might not object but our first line is going to be immediate evacuation. I am sure Mr. Nishtar³ will help us in that but a word from you to acquaint him with the situation will go a long way.

We are coming into the pool with Colonel Williams⁴ publicity organisation and are also negotiating for an air service between Hyderabad and the Middle East (via Karachi, Lahore, Peshawar and Kohat). When we go to Delhi we shall be taking with us a further proposition (which Chhatari⁵ will mention to you) which will be of help both to Pakistan and Hyderabad.

With my respects and regards,

Yours sincerely,
ALI YAVAR JUNG

PS. Please do not bother to reply as I know you will be busy.

¹Walter Monckton, Constitutional Adviser to the Nizam of Hyderabad.

²Underlined here and subsequently in the original.

³Member for Communications in the Interim Government.

⁴Probably refers to Geoffrey Williams of the Indian Political Service.

⁵Muhammad Ahmad Said Khan Chhatari, President, Executive Council of the Nizam of Hyderabad.

23

Amiruddin Kedwaii to M. A. Jinnah

F. 886/246-8

OLD BOYS' LODGE, ALIGARH,
4 July 1947

My dear Quaid-i-Azam,
Assalaamo 'Alaikum

I want to bring to your kind notice the declaration of the League

leaders of Meerut as reported on page 6, column 3, item 3 from the bottom of the *Hindustan Times* of 4-7-1947.¹ Such declarations will mean stampede and revolt against the League.

Mr. Ashraf² an old fluke has had the cheek to declare that if Pakistan were to make war upon Hindustan, the Muslims here will fight for the flag of India. This sort of cheap loyalty cannot enhance our prestige in the eyes of the Hindus but it will most certainly infuriate the Muslims of India against the League and creat[e] bad feelings in Pakistan against us.

There has been a race for jobs during all these years and now that they are in sight everyone is ready to sell the blood of Musalman and his honour. This auction must stop else the Muslims will lose self-confidence and discipline and this is what their enemies want.

This is all a planned mischief. There was widespread resentment against Mr. Khaliq's³ pledge of loyalty. Liaquat Ali Sahib's statement⁴ was wiser and had improved the situation a bit. All this is calculated to make your work difficult.

If the Hindi Muslims listen to Khaliq & Co. your position will be that of an alien leader who has deserted them. This is what is being whispered about. If we resent this abject treason of theirs, there will be a rift in the League. My party is restive.

I have been a quiet worker but you know my name and I met you when the Pakistan scheme was passed⁵ and you came to Aligarh. I know the mind of the people. They are with you and your courage has inspired them. If they feel cut off from you they will be demoralised. Pray do not leave them to Ashrafs and Khaliqs.

Such mean utterances should be banned by the League to save a major crisis. Musalmans will flare up soon and there will be trouble.

With respects,

Yours sincerely,
AMIRUDDIN KEDWAI

¹Not available in QAP.

²Probably a reference to Kunwar Muhammad Ashraf, an Indian Communist leader and a historian.

³Refers to Chaudhry Khaliq-uz-Zaman, MLA, United Provinces.

⁴It is not clear which statement is referred to here.

⁵23 March 1940.

24

Louis Mountbatten to M. A. Jinnah

F. 2/172

[No.] 1446/16

THE VICEROY'S HOUSE, NEW DELHI,

4 July 1947

Dear Mr. Jinnah,

I would be grateful if, on behalf of the successor authority, you would let me have in writing the name recommended for Governor-General of Pakistan,¹ in order that I may make a formal submission to The King.

As I told you, I ought to have submitted the name today at [the] latest. I would therefore be most grateful if you could let me have an immediate reply.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Mountbatten had also previously sought Jinnah's advice about this matter. See No. 13. Also see No. 328, Vol. II, 629-30.

25

Liaquat Ali Khan to Louis Mountbatten

F. 2/171

SECRET

GUL-I-RAANA, HARDINGE AVENUE,
NEW DELHI,

4 July 1947

[Dear Lord Mountbatten,]

Mr. Jinnah has received your letter of the 4th,¹ late in the evening at 6.30 and I am authorised to inform you that the All India Muslim League, the successor authority, tender advice to His Majesty the King to accept the name of Mr. M. A. Jinnah as the Governor-General of Pakistan Dominion.

We understand that the Congress desire that you should be the Governor-General of India[n] Dominion, and if you decide to accept it, we shall be glad and feel that the two Governors-General will work in

harmony and co-operation to effect equitably final and complete partition.²

Yours sincerely,
LIAQUAT ALI KHAN

¹No. 24

²For Mountbatten's reply to Liaquat, see No. 58. For additional information, see Appendix III.

26

Louis Mountbatten to M. A. Jinnah

F. 1/149

No. 1446/8

THE VICEROY'S HOUSE, NEW DELHI,
4 July 1947

Dear Mr. Jinnah,

I enclose herewith a copy of the Bill¹ as it has been put into Parliament today. You will notice that some of your objections² have been met; and I am to inform you on behalf of His Majesty's Government that it is greatly regretted that on account of the shortness of time, it was not possible for them to exchange views with you on the other points which you raised.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹See F. 1/150-78, QAP. Not printed. Also see Enclosure 1 to No. 1.

²See Annexes I-III to No. 1.

27

Eric Mievill to M. A. Jinnah

F. 1/147

No. 1446/8

NEW DELHI,
4 July 1947

Forwarded¹ to M. A. Jinnah, Esquire.

With the compliments of the Private Secretary to His Excellency the Viceroy.

[ERIC C. MIEVILLE]

¹Enclosure.

*Enclosure to No. 27**F. 1/148*NEW DELHI,
4 July 1947

No. 1446/8

1. Please make the following amendments to the attached paper.¹

PAGE 3 [CLAUSE 2(1)]²

- a. Lines 1 and 2, delete

"subject to subsection (3) of this Section"

and insert as the opening words of this sub-clause

"subject to the provisions of subsections (3) and (4) of this Section".

- b. Lines 6 and 7, delete

"subject to subsection (3) of this Section"

- c. Line 8, before

"the territories" insert

"subject to the provisions of subsections (3) and (4) of this Section".

PAGE 4 [CLAUSE 3(3)]³

- a. Line 20, delete

"specified", insert

"mentioned"

- b. Line 21, after

"boundaries," insert

"after the appointed day".

2. This document is NOT guaranteed to be word for word correct. It has been produced in the greatest of haste, and there may be slight errors.

¹The remarks "Bill already sent" recorded in the margin of para 1. The paper comprised the Bill presented before Parliament. See F. 1/150-75, QAP. Not printed. Also see Enclosure 1 to No. 1.

² ³The amendments have not been incorporated in the enclosure (F. 1/150-78) to No. 26.

28

*S. A. Mirza to K. H. Khurshid**F. 162/187*

OPPOSITE SUBZI MANDI,
DELHI,
4 July 1947

Dear Mr. Khurshid,

I sent the original copy of the attached letter to our most beloved Quaid-i-Azam under postal certificate. To ensure that it does reach him, I am sending a duplicate copy, which I hope you will very kindly present to Quaid-i-Azam Sahib, and oblige.

Thanking you,

Yours sincerely,
S. A. MIRZA
Dental Surgeon

Mr. [K. H.] Khurshid,
Sec[retary] to Quaid-i-Azam,
Delhi

Enclosure to No.28
S. A. Mirza to M. A. Jinnah
F. 162/183-4

OPPOSITE SUBZI MANDI, DELHI,
4 July 1947

Pakistan Zindabad

My most respected Quaid-i-Azam,

I most heartily and sincerely congratulate you on the glorious achievement of our cherished goal of Pakistan. With the achievement of our holy goal, we the Muslims shall yet have to march onwards, and onward we shall have to march till we have reached the heavenly directed golden goal of peace and liberty, of righteousness and love and made our home-land an all-round prosperous and independent sovereign state.

To defeat and crush the unholy and vicious dream of the critics in respect of their assidious [*sic* for insidious] propaganda¹ about the

"economic collapse" of Pakistan, the mineral wealth of the N.W.F.P., Baluchistan and Chitral will have to be exploited by means of an exhaustive geological survey to be conducted by a committee of experts. There are sure traces of the following mines in the N.W.F.P.,² and Chitral: mica, sulphur, lead, zinc, copper, iron and petroleum, [and] precious stones, and only the experts would tell the depth of their beds and their respective ranges to which they extend. I once in 1944 had the opportunity of getting a few samples of some of these mines tested in the laboratory of the Lahore Engineering College.

The prosperity of Pakistan further depends on her agricultural wealth. The agricultural enterprises all-round for the vast production of money [*sic* for cash] crops and its side lines which are its back-bone (mixed farming, poultry, sheep breeding and dairying) on intensive and extensive scales would play the major role in tremendously increasing the wealth.

Pakistan being an agricultural country her prosperity depends on the fertility of her soil and the heads of livestock she maintains. The close relation which exists between livestock and fertility is one of the most important facts in agriculture. The degree of fertility of a farm or land is measured by the heads of stock it maintains.

During the last two decades or so the Military Dairy Farms in India, recklessly exported millions and millions of Sahiwal Cows and Murrah Buffaloes, the premier and top-ranking milk producing breeds of the north and unrivalled by any other breed in the whole of Hindustan, thus making the Punjab hopelessly poor in pure milk supply.

Without the continued use of milk, not only for feeding of our children, but in liberal amounts in cookery, we cannot as a nation maintain the position as a world power to which we have now arisen. Our children have already been underfed, and we must now greatly emphasise and realize the value of milk as food necessary for the growth of the young and for [the] well-being of the mature. It must be realized that the underfed children of Pakistan of today are going to be the fathers of tomorrow and the parents of the coming generation who are to play a very important role as the future guardians and soldiers of the Pakistan Army. They must be fed on a diet that would build their body, build their muscles and bones, make them strong, healthy and sturdy and fit to live in the world as sons of stout and hardy parents and not brought up as sons and fathers of Lilliputians and dwarfs.

This export of livestock to other provinces with a view to increase our own agricultural wealth and recoup the lost energy, vigour and

health a great item of national up-lift, and with a view to grading up of our livestock under a ten years plan, should at once be stopped. It is in the interest of Pakistan and Pakistanis and of the coming generations that I feel it my solemn duty to bring this vital matter of great importance on which depends the health of our nation to your notice for your information and attention.

I request that the provincial authorities in the Pakistan Dominion may kindly be advised in time in this respect, to stop rigidly any export of livestock to Hindustan soon after they take up independent reigns of Government on 15-8-[19]47. The benefits of this step will be seen and realized within a very short period of its enforcement.

Praying for your long life and health, our most beloved Quaid-i-Azam,

Yours obediently,
S. A. MIRZA

¹See No. 49, Vol. II, 105-9 and Enclosure 3 to No. 117, *ibid.*, 261-2.

²See Enclosure 1 to No. 117, *ibid.*, 256-9.

29

Louis Mountbatten to M. A. Jinnah

F. 2/173

[No.] 1446/16

THE VICEROY'S HOUSE, NEW DELHI,
4 July 1947

Dear Mr. Jinnah,

I hope you will not take it amiss if I write and invite your attention to the need to consider what should be the pay and allowances of the Governors of the new Provinces of West Punjab and East Bengal.

2. The pay of Governors varies a good deal as laid down in the Third Schedule of the Government of India Act, 1935, and is as follows in the various Provinces:

	Yearly
The Governor of Madras)
The Governor of Bombay) Rs. 120,000
The Governor of Bengal)
The Governor of the United Provinces)
 The Governor of the Punjab) Rs. 100,000
The Governor of Bihar)

The Governor of the Central Provinces and Berar) Rs. 72,000
)
The Governor of Assam)
The Governor of the North-West Frontier Province) Rs. 66,000
)
The Governor of Orissa)
The Governor of Sind)

3. Possibly the Governors of West Punjab and East Bengal might be put in the same category as the C[entral] P[rovinces]. Each of them will, however, probably need rather more than half of the *allowances now provided to the Governors of the whole Province*.¹

4. I am asking Williams,² my Secretary (Public) to send you a note about Governors' Allowances, as this may be useful for you.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Underlined in the original probably by Jinnah.

²Charles Fredrick Victor Williams.

30

*Louis Mountbatten to M. A. Jinnah*¹

F. 2/174

[No.] 592/63

THE VICEROY'S HOUSE,
NEW DELHI,
4 July 1947

Dear Mr. Jinnah,

As a result of discussions I have had from time to time with the Sikh leaders I should like to put to you their point of view.²

2. They are naturally worried about the position in the Punjab where, unless major alterations are made by the Boundary Commission, the Sikh community will be divided into two almost equal parts.

3. They have asked for certain special consideration in the Union of India and in the Eastern Punjab but they also urge that the transfer of population should be seriously considered in the Punjab and I hope that at the proper time this will be considered by you, whether as the

result of the Boundary Commission [award] or otherwise. They also hope they will have weightage in the Central Houses of Pakistan and a seat in the Pakistan Government.

4. I sympathise with the Sikhs,³ as I am sure you do, and I hope everything possible will be done to allay their fears.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 498, TP, XI, 884-5.

²On 30 June Giani Kartar Singh and Baldev Singh called on Mountbatten to discuss the Sikh demands. See No. 417, *ibid.*, 760-1 and No. 178, *ibid.*, 331-2.

³Mountbatten also wrote to Nehru pleading weightage for Sikhs in the East Punjab and Indian Legislatures. See No. 497, *ibid.*, 884.

31

Nazir Ahmad to M. A. Jinnah

F. 162/174-6

DROSH, CHITRAL,
4 July 1947

Our Beloved Quaid-i-Azam,

We are pleased from the core of our hearts at the establishment of Pakistan and now it is the duty of each individual member of this State to try and devise ways and means for making it most efficient and prosperous.

Since I have been in various official positions for the last 20 years in this province, being I/C [incharge] of various hospitals throughout the province having been the Civil Surgeon, Bannu District, Agency Surgeon, North Waziristan and being involved in the famous kidnapping of Major Donald, Political Agent, and Agency Surgeon, South Waziristan and now being in the position of the Agency Surgeon, Chitral, and Medical Officer I/C Chitral State Scouts and Medical Adviser to His Highness the Mehtar of Chitral, I feel, I have got a unique experience of Frontier matters and when at any time any committee is appointed to consider the relations of Pakistan with the transborder people of Waziristan, Tirah and Dir, Swat and Chitral, my advice will always be at its disposal.

Waziristan has been the greatest headache as well [as] the best place for the training of English and Indian troops. It was only in the year

1919-20, that Waziristan was penetrated as the tribes were making raids in the settled Districts of Bannu and D[era] I[smael]K[han] (Tank Area) as things developed it was found that troops were not as efficient to deal with the tribes as the Scouts because of the simplicity and lightness of their uniform, knowledge of language, habits and manners of the people. Had Britishers remained, the proposal was to remove all the troops and handover the whole Waziristan to Scouts. This would have saved crores of rupees but still that would not have been the ideal method, because tribes have always resented the penetration of their territory by the British and there is always some fight going on, resulting in loss of men and heavy expense. But Pakistan's establishment will bring a new era on this side of the world (Waziristan); being a Muslim State, it will be respected by Mahsuds and Wazirs who should be given their own free autonomy, financial help and help in regard to men and material to develop their own resources which if properly harnessed and tapped, especially mineral wealth, rearing of silk worm in North Waziristan and some woollen and other industries, it will go a long way and above all free education be given by Pakistan to settle their problems. This total should not cost more than three crores of rupees annually and if the present troops are removed, Scouts replaced only in selected places, it will be a saving of about 15 crore to Pakistan.

In order to safeguard the settled Districts of Bannu against any possible raids, Bannu, Tank and D.I. Khan Cantts. shall have to be strengthened and in between Bannu and D.I. Khan, Pezu Pass shall have to be fortified in the border of these districts, [and] a line of pickets shall have to be made as a sort of small Siegfried Line,¹ not of that strength but ordinary soldier pickets, in suitable places, not more than 20 in all and not more than 1,000 troops needed to man there. A beginning can be done by [sic] *kachcha* accommodation with some living rooms and as finances improve *pucca* emplacements made; many of these are present even now. The Waziristan can be a State independent in internal affairs and responsible to a joint *jirga* of Waziris and Mahsuds, and externally under Pakistan.

Kurram is a fertile valley and will be willing to join Pakistan voluntarily and coupled with a part of Thall can be made into a separate administrative district and railway line taken from Thall to Kurram.

Khyber's arrangements shall have to be kept in the state of status quo as it is the vital link with mid-Asia, a great artery for traffic and a great advance base. In fact it shall have to be strengthened. Its customs are going to be a great support for Pakistan, the subvention of the Frontier can be very easily met out of that.

Malakand is a rich Agency, surplus in many respects, it should be maintained. Swat is pro-Pakistan and has great forests which can be developed and a big timber industry started in Malakand, Dargai or Nowshera. Its fruit and agriculture industry can be improved and be a great help to Pakistan. Already the whole of rice to the Peshawar and Mardan Districts comes from Swat.

Dir is also a fertile State and can be [a] health resort. Its water-power and agriculture can be developed. Dir has some enmity of the Pathanic [sic] feud type, but under influence of Pakistan it can be patched up.

Chitral is separated from Dir and rest of India by Lowari Pass on which a road is being built since 1942. The length of the road is going to be 25 miles but I may tell you the manner [sic] how these Englishmen have been pampering some of the Waziristan people. Mahsud Battalion under Colonel North is making this road since 1942 and only six miles have so far been made and this year a contractor starting at a different point has made 2 miles of the road in two months time. When 1,000 miles of Stilwell Road² on Burma Frontier can be built in 2 years, why can't these 20 miles be built in 6 months of summer, of course in winter work will have to be stopped due to snow.

Chitral State is rich in minerals, already an antimony mine is being worked by a Hindu Company and they are getting large benefits and the State is getting very little royalty. When means are [sic for of] communication are improved, its mineral sources [sic] should be tapped and State made self-sufficient and since it joins Yarkand, Russia, Gilgit and Afghanistan (Badakhshan and Jalalabad), it is [a] great frontier outpost.

[A] lot of expense is wasted on the Scouts by officers who get lot of T[ravelling] A[llowances], living in one post for 9 days and moving on [the] 10th, in order to avoid making it a headquarter and thus dragging [sic] Govt. money into their pockets. I should say a regular loot is going on. The same is the case in Waziristan Scouts; officers travel by Govt. lorries and charge T.A., and pay a paltry sum.

Honesty in services shall have to be the watchword of Pakistan Civil and Armed Forces. The servants of the class of Deputy Commissioners, the Commandants, shall have to be given a pledge to sign, to be honest and keep their subordinates honest. Whenever any of these feels that his subordinate is not getting a living wage, he shall have no hesitation to recommend improvement in his wages and thus make him live an honest life. All key posts as P[ersonal] A[ssistants] to administrative posts, P.A.s to D.C.s, Superintendents of offices to be carefully selected and honesty and efficiency to be the watchword.

There should be open competition for services amongst each country [sic] and minorities will have reservation of seats in services. General knowledge should be compulsory and a vital paper in Public Service Examinations. The Public Service Commissioners and their staff should be men of first class character, integrity, honesty and no nepotism [should be] allowed to have any sway and any case of this nature discovered should be given exemplary punishment.

Just as there used to be an Indian Civil Service, Indian Medical Service, Indian Police Service, there should be now a Pakistan Medical Service, Pakistan Civil Service, Pakistan Police Service, etc., in which all the Pakistan countries [sic for provinces] should be represented and the present cadres of the Class I Services brought in that service strength [sic] under the administrative control of the central federal [sic] Pakistan Govt. at Karachi and all new selections to be done [sic] by [the] Pakistan Public Service Commission with quota of each province and States according to their numerical strength. This will loosen the ties of provincialism and bring more love for each other, a Frontier man going to Karachi and a Karachi man going to Frontier and so on.

Your most obedient and loyal servant,

NAZIR AHMAD
P.C.M.S.
Agency Surgeon

¹An elaborate series of fortifications built by Germany in 1938-39, opposing the French Maginot Line and extending from the Swiss border along the French, Belgian and Dutch frontiers.

²A road link between South China and Burma built during World War II and named after US General, Joseph Stilwell.

32

H. M. Patel to M. A. Jinnah

F. 1/121

No. P.O.-8/PC/47

PARTITION OFFICE,
GOVERNMENT OF INDIA,
NEW DELHI,
4 July 1947

The undersigned is directed to circulate to members of the Partition Council for their approval a note by the Steering Committee¹ recommending changes in the personnel of certain committees.²

If no comments are received by 4 p.m. on Saturday, the 5th July, 1947, the approval of the Partition Council will be assumed to these recommendations.

H. M. PATEL

¹H. M. Patel and Mohamad Ali were nominated by the Partition Committee as members of the Steering Committee. See No. 152, TP, XI, 285.

²See No. 121, Vol. II, 268-87.

Enclosure to No. 32

F. 1/122

NOTE BY THE STEERING COMMITTEE

We recommend that the following further changes be made in the constitution of Expert Committees:

Expert Committees Nos. I and II—Departmental Sub-Committee for Commerce Department

Messrs V. C. Trivedi and A. A. Said to be added as members

Expert Committee No. I—Departmental Sub-Committee for Information and Broadcasting Department

Mr. Moh[amma]d Sabir to be added as a member

Expert Committee Nos. I and II—Departmental Sub-Committee for Industries & Supplies Dep[ar]t[men]t

Mr. A. G. Khan in place of Mr. Said Hasan

Expert Committees Nos. I and II—Departmental Sub-Committee for Political Department

Mr. B. S. Puri and Khan Bahadur M. I. Khan to be added as members

Expert Committee No. II (Main Committee)

Mr. I. S. Puri in place of Mr. Narahari Rao who has proceeded to the U. K. for the sterling balances talks.

Expert Committee No. II—Sub-Committee for Railways

Mr. Q. Z. Hussain in place of Mr. G. Farouque

Expert Committee No. II—Sub-Committee for All India Radio

Mr. Baliga in place of Mr. Ramchandani

Expert Committee No. V (i)—Currency, Coinage & Exchange

Mr. K. Sanjiva Rao in place of Mr. B. K. Nehru

Expert Committee No. V (ii)—Budget and Accounts Sub-Committee for Railways

Mr. P. M. Joseph in place of Mr. I. S. Puri

33

*H. M. Patel to M. A. Jinnah**F. 1/123*IMMEDIATE/TOP SECRET
No. P.O.-7/PC/47PARTITION OFFICE,
GOVERNMENT OF INDIA,
NEW DELHI,
4 July 1947

In continuation of this office memorandum of even number dated the 3rd July 1947,¹ the undersigned is directed to state that the following subjects will constitute the agenda for the meeting of the Partition Council called for 10 a.m. on Saturday, the 5th July, 1947.

AGENDA

1. Temporary employment of British Army Officers and other ranks with the new Dominions after 15th August, 1947
(Note by His Excellency the Viceroy attached)
2. Addition of Finance Officers to the three Armed Forces Sub-Committees
(Note by the Steering Committee attached)²
3. Recommendations of the Steering Committee on Report of Expert Committee No. VIII on Domicile
(Papers will follow)³
4. Arrangements regarding petrol rationing for the quarter beginning August 1st, 1947—Report of Expert Committee No. VI for approval
(Papers attached)⁴
5. The Federal Court and the High Courts of Bengal and the Punjab
(Note will follow)⁵

H. M. PATEL

¹Not available in QAP.²At the direction of the Partition Council the Steering Committee recommended the following officers to the three Armed Forces Sub-Committees with the stipulation to add two finance officers:

Army Sub-Committee	Ghulam Abbas and B. B. Ghosh
Navy Sub-Committee	
and	S. Jayasankar and Mumtaz Mirza
Air Force Sub-Committee	

They were to constitute a Sub-Committee of Armed Forces Reconstitution Committee to recommend financial adjustments consequent on division of assets of the Armed Forces.

See F. 1/129, QAP. Not printed.

³See No. 33A.⁴Expert Committee No. VI consisting of P. R. Nayak and S. I. Haque had, in view of "special requirements of Delhi, Sind, the Punjab and Bengal consequent on the Partition and shift of personnel and records," recommended that the actual allotment for the last quarter plus an

additional 6½% be given to them. Reserve of about 800,000 gallons of petrol held in India by the oil companies at the disposal of the Central Government was recommended to be allocated in proportion to the consumption in the last quarter in areas which would go to Pakistan. See F. 1/130, QAP. Not printed.

⁵See No. 33A.

Enclosure to No. 33

F. 1/124

NOTE BY THE VICEROY

TOP SECRET

1. The Partition Council have decided, and it has been publicly announced:

- a. That reconstitution and nationalisation of the Armed Forces cannot proceed simultaneously, and that the former must come first.
- b. That, for the successful reconstitution of the Armed Forces, the services of a number of British officers now serving in India will be required.
- c. That as soon as the two new Armies are self-sufficient, central administrative control will disappear, and the two Governments will then enlarge, reduce, redesign, reorganise and nationalise their armies as they think fit. Every effort is to be made to ensure that this situation is attained by 1st April, 1948.

2. It therefore follows:

- a. That the necessary number of British officers should be asked to volunteer to continue to serve with the Indian Armed Forces during their reconstitution.
- b. That their terms of engagement should be such that the two future Governments will be free to dispense with their services within 12 months, if they so desire.

3. The officers in question must be volunteers. They cannot be compelled to serve in the armies of either India or Pakistan after 15th August. *It is therefore necessary that the terms to be offered should be sufficiently attractive to induce them to do so.*¹

4. The terms and conditions suggested by the Commander-in-Chief,² as a basis of discussion by the Partition Council, are set out in the Annex.³

5. In view of the shortness of time, it is most important that the decisions of the Partition Council should be made known to the officers concerned at the earliest possible date.

¹Underlined in the original probably by Jinnah.

²Field Marshal Claude Auchinleck.

³It dealt with period of service, pay, pension, leave, promotion and compensation to three

groups of officers and other ranks belonging to (a) British regular officers of the Indian Armed Forces, (b) Regular Officers and other ranks of the British Armed Forces, and (c) British Emergency Commissioned officers and Reserve Officers serving in or attached to the Indian Armed Forces. See F. 1/125-8, QAP. Not printed.

33A

H.M. Patel to M. A. Jinnah

F. 1/131

IMMEDIATE/SECRET
No. P.O.-7/PC/47

PARTITION OFFICE,
GOVERNMENT OF INDIA,
NEW DELHI,
4 July 1947

In continuation of this office memorandum of even number and date the undersigned is directed to circulate to Members of the Partition Council a copy of the papers relating to items 3¹ and 5 of the agenda for the meeting of the Partition Council called for 10 a.m. tomorrow, the 5th July.

H. M. PATEL

¹The Steering Committee did not recommend any action by the Partition Council for the time being to restrict entry of citizens of one Dominion into the public services of the other. It recommended suitable adaptation of the Passport Rules so that for the time being there be no passport restrictions between the two Dominions. See F. 1/132-7, QAP. Not printed.

Enclosure 1 to No. 33A

F. 1/138

PARTITION OFFICE,
GOVERNMENT OF INDIA,
[NEW DELHI],
4 July 1947

FEDERAL COURT OF INDIA

The effect of partition on the Federal Court has been examined in the attached note¹ by Mr. Sundaram, O.S.D., S.G.G. (Reforms).² The Steering Committee have considered the points made therein and recommend that:

- i. With effect from the date of transfer of power, the existing Federal Court for India should continue to function as the Federal Court for the Dominion of India, with powers, authority and jurisdiction *mutatis mutandis* the same as those of the existing Federal Court, but with jurisdiction limited to the Dominion of India only;

- ii. Provision should be made for constituting a separate Federal Court for Pakistan from that date;
- iii. It will be necessary to give:
 - a. an assurance to the present judges, officers and staff that they will be continued in service on existing terms and conditions, and
 - b. an opportunity to all the officers and staff to elect to serve in Pakistan on existing terms and conditions should they wish to do so;
- iv. The Pakistan Federal Court should be nominally brought into being on the date of partition with a nucleus of staff consisting of those of the employees of the existing Federal Court who opt for Pakistan. Judges etc., being appointed in due course.

H. M. PATEL
MOHAMAD ALI

¹Annexure.

²Officer on Special Duty, Secretariat of the Governor-General (Reforms).

Annexure to Enclosure 1 to No. 33A

F. 1/139-40

EFFECT OF PARTITION ON THE FEDERAL COURT

Assuming the possibility of effecting what we wish to achieve by means of Statutory Orders made under the Act of Parliament before the appointed day for partition, the questions of policy on which an early decision is necessary appear to be as follows:

2. Firstly, should there be a Federal Court for each Dominion? The existing Federal Court's jurisdiction is primarily in regard to constitutional matters. Its original jurisdiction under Section 204 and advisory jurisdiction under Section 213 have been invoked in the past on very few occasions, but its appellate jurisdiction under Section 205 will continue to be important, if (as we may assume) the constitution of the two Dominions during the transitional period continues to be of the same federal character as at present with the same complicated distribution of legislative and executive powers. Furthermore, from the practical point of view the abolition of the Federal Court without setting up a Supreme Court in its place and simultaneously abolishing the jurisdiction of the Privy Council seems to be out of the question. It appears, therefore, that until either Dominion decides otherwise, there will have to be as from the appointed day a Federal Court for each Dominion with powers, authority and jurisdiction, *mutatis mutandis* the same as those of the existing Federal Court.

3. Secondly, should provision be made for limiting the jurisdiction of

the existing Federal Court to the Dominion of India and for constituting a separate Federal Court for Pakistan as from the date of partition. This would be the normal course to adopt, but a matter requiring consideration is whether in the short time available arrangements could be made for setting up the Pakistan Federal Court. It may be recalled in this connection that the first case for the existing Federal Court of India took about a year to come up. Since the number of cases likely to be brought before the Pakistan Federal Court in the near future will be small it is not essential that all three judges should be appointed and the staff and other paraphernalia collected before the date of partition. The Court could be nominally brought into being on that date with a nucleus of staff, and judges, etc., appointed subsequently in due course when necessity arises.

4. The alternative is to provide that the existing Federal Court which from the date of partition will become the Federal Court for the Dominion of India, will also function for a temporary period as the Federal Court for Pakistan until other arrangements are made by that Dominion. This involves the exercise of jurisdiction of the Federal Court of India over the High Courts of Pakistan which may not be considered desirable. It also involves an agreement for sharing the expenses of the Court for the period the arrangement lasts.

5. An early decision is required as to which of the two alternatives mentioned in paragraphs 3 and 4 above is to be adopted. In the case of the course suggested in paragraph 3 being approved, may it be assumed that the present judges of the Federal Court of India and the officers and staff of the Court will continue on their existing terms and conditions of service?

K. V. K. SUNDARAM

Enclosure 2 to No. 33A

F. 1/141-2

PARTITION OFFICE,
GOVERNMENT OF INDIA,
[NEW DELHI],
4 July 1947

PROVINCIAL HIGH COURTS

The attached note¹ describing the effect of partition of Lahore and Calcutta High Courts has been prepared by Mr. Sundaram O.S.D., S.G.G. (Reforms). The Steering Committee have considered the suggestions made therein and recommend that:

1. jurisdiction of the Lahore High Court should from the date of partition be limited to Western Punjab only;

2. from that date, a separate High Court, having jurisdiction over East Punjab and the Province of Delhi should be constituted;
 3. appointments to the new High Court should, as for existing High Courts, be made under Section 220 of the Government of India Act, 1935, by His Majesty after consulting the Central Government of the Dominion of India;
 4. it will be necessary to give:
 - a. an opportunity to the judges, officers and staff of the Lahore High Court to choose which of the two High Courts they wish to serve, and
 - b. an assurance that their salaries and other conditions of service will not be disturbed as a result of the division of the High Court;
 5. the East Punjab High Court should be given facilities to continue to have their seat at Lahore and function in the same building as the West Punjab High Court for a temporary period until suitable arrangements are made for its location in East Punjab or Delhi; the temporary arrangement should in any case cease before 1.3.[19]48;
 6. the division of staff and records should be undertaken forthwith and be completed with the utmost possible speed.
2. The above procedure should be followed in all its details in respect of the division of the Calcutta High Court also. The East Bengal High Court should be given facilities to function for a temporary period from Calcutta until suitable arrangements are made for its location in East Bengal. The temporary arrangement should in any case cease by 1.3.[19]48. Appointments for the new High Court should, as for existing High Courts, be made under Section 220 of the Government of India Act, 1935, by His Majesty after consulting the Central Government of the Dominion of Pakistan.

H. M. PATEL
MOHAMAD ALI

¹Annexure.

Annexure to Enclosure 2 to No. 33A

F. 1/143-6

THE EFFECT OF PARTITION OF THE LAHORE
AND CALCUTTA HIGH COURTS

When instead of the existing Provinces of Bengal and Assam we have three new Provinces of East Bengal, West Bengal and Assam

under two independent Dominions, the jurisdiction of the Calcutta High Court, which now extends to the whole of this area, will be affected. Similarly, in consequence of the division of the Punjab into two new Provinces, the jurisdiction of the Lahore High Court, which now extends to the whole of the Punjab and the Province of Delhi, will also be affected. Express provision will, therefore, have to be made by Statutory Orders under the Act of Parliament in respect of both these High Courts before the appointed day for partition.

2. The first question is whether it would be possible (a) for East Bengal, and (b) for East Punjab and Delhi to set up their respective High Courts before the 15th of August within their own territories. The work involved is considerable. The location of the new High Courts will have to be settled first and this will depend on the final settlement of the boundaries of the new Provinces and of their capitals. Assuming that suitable buildings are available, or can be made available, at the place chosen, the task of dividing the staff of the High Courts after ascertaining their wishes in the matter, separating the records, transferring both staff and records to the new locale and making all necessary arrangements for the proper functioning of the High Courts, will probably take a much longer period than six weeks. I would, therefore, answer the question in the negative.

3. To take the Lahore High Court first, the best course seems to be to provide that as from the 15th August:

1. The Lahore High Court shall cease to exercise jurisdiction in East Punjab and Delhi.
2. A new High Court consisting of a Chief Justice and 6 or 7 puisne judges shall be established for East Punjab with jurisdiction extending to the Province of Delhi. This High Court may be called for the present the East Punjab High Court to distinguish it from the Lahore High Court which will continue to exercise jurisdiction in West Punjab.
3. The East Punjab High Court will as a purely temporary measure have its seat at Lahore and function in the same buildings as the Lahore High Court.
4. All existing judges of the Lahore High Court will be asked (as soon as a decision is taken) to say whether they wish to become judges of the East Punjab High Court or to stay on in the Lahore High Court. The conditions of service in the East Punjab High Court will have to be made clear to them before they make their choice and it is suggested that they should be given an assurance that their salaries and other conditions of service will continue to be the same.
5. All officers and members of the ministerial establishment of the

High Court should similarly be given a choice between the two High Courts.

6. The division of staff and records should be undertaken forthwith and be completed as rapidly as possible. The summer vacation of the Lahore High Court which, I understand, is from the 18th July to the 28th September, will facilitate this work, especially if one or two more judges and all officers are retained on duty during the vacation and instructed to complete this work, if not before the 15th August, at any rate before the 28th September.

4. The same procedure may be adopted in respect of East Bengal. As from the 15th August the Calcutta High Court will cease to have jurisdiction in the new Province of East Bengal (including the District of Sylhet if the Referendum is in favour of the amalgamation of that District with the new Province). A new High Court consisting of a Chief Justice and such number of puisne judges as may be recommended by the present Calcutta High Court will be established for East Bengal with jurisdiction extending to the whole of the new Province of East Bengal. This High Court will be called for the present the East Bengal High Court and will, as a temporary measure, have its seat at Calcutta and function in the same buildings as the Calcutta High Court. I understand that the Calcutta High Court has its long vacation normally from about the end of August to the first week of November. If the changes contemplated in this paragraph are to be effective from the 15th August it will no doubt be convenient for the High Court to advance the commencement of the long vacation by a few days to the same date.

5. Both in the Punjab and in Bengal, the new High Courts will not be established by Letters Patent of His Majesty under the existing Government of India Act, but by means of an order of the Governor-General under the contemplated Act of Parliament setting up the Indian Dominions. This immediately raises the question as to who will be the authority competent to appoint the judges. Since the provisions of the Government of India Act, 1935, relating to appointment of judges of all High Courts as defined in Section 219 (which include not only the chartered High Courts but also the Chief Courts of Oudh and Sind, and the Judicial Commissioner's Court of the N.W.F.P.) will presumably continue in force for the time being, the judges of the two new High Courts may also be appointed under Section 220 by His Majesty. The question whether such appointments will be made after the date of transfer of power on advice from the Dominion Government or the Provincial Government concerned will require to be decided.

K. V. K. SUNDARAM

34

Z. A. Bandukwalla to M. A. Jinnah

F. 886/249-52

25 HUGHES ROAD, BOMBAY,
5 July 1947

Dear Quaid-i-Azam,

I am aware that at this time you must be very busy. Every moment of your time is very precious and is very badly required for the great work ahead. In spite of this, I have made bold to pen you this letter in the hope of bringing true facts to your knowledge and in [the] expectation that you will give them due consideration.

Bohra community whole-heartedly supported your election and has stood by you in your struggle for the freedom of Muslims from the yoke of Hindu domination. Islam has greeted you [as] its hero for your single-handed achievement against insuperable odds. You are aware [that] Dawoodi Bohra community is a small but powerful business community. You know much better than any one else that this community is trampled upon and made impotent by a very powerful priestly class. The *Mullaji*¹ claims to be the lord and master of life, property and even soul of the Bohras. He claims for himself the divine right of kings. He claims to be responsible and accountable to no human government or being, except to the *Imam* in seclusion². He claims power of life and death over Bohras. Who[soever] he dislikes or is displeased with for smallest possible things, he excommunicates, and thus plays and has played havoc with many families. With the intention of perpetuating and maintaining his power, he flirts with leaders of political parties. At one time, he was a redoubtable opponent of the Muslim League and he wanted special rights for the Bohras. Seeing which side the wind was blowing he started wooing the League. At the same time, he is still flirting with the Congress and the British Government. His only intention is to ingratiate himself in good books of [sic] all the parties so that he can come to share in political power which he can utilize in maintaining his absolute supremacy over the Bohras and keep them under his heels [sic] for ever. He is, therefore, making an effort to see that in any Government of Pakistan, either members of his family or persons he approves of are appointed so that through them he may have a hold on the governmental machinery and thereby perpetuate his authority over the Bohras. If such a thing happens, the Bohra community will be enslaved for a very long time to come and the

fruit of freedom won by you with such valiant struggle will be denied to the Bohras in reality.

The educated young and thinking class of Bohras is very much perturbed over such happening[s]. This class was the first to support the League at a time when the priestly class was against [it]. However, in view of their unfortunate position, they cannot become vocal. They, therefore, look upon [sic for up to] you as a torch-bearer of freedom and as a modern man of vision to free them from the yoke of priestly tyranny. They feel sure that you will not be misled by the machinations of the priestly class and [that] in any Pakistan Government you will appoint, if required from the Bohras, independent men of ability. Such men are not wanting in the community. Names of some of the persons, educated and commanding reputation [sic] and confidence of the members of the community, may be brought to your notice:

Taherali Kajiji, Bar-at-Law,

A. A. Jasdanwalla,³

Hosseini S. Doctor, Solicitor,

Sajauddin Karwa, Bar-at-Law,

T. T. Barodawalla, Bar-at-Law.

I may make one point clear. This letter is not written in any spirit of ill will against the priestly class. I have no personal ill will against them. It is also not written with a view to propping up the names of some interested individuals who may want to come in [sic for into the] limelight. This letter is written in the spirit of public service and in the hope of rendering assistance for building up a modern Pakistan State.

I trust it will be taken in the spirit in which it is written.

Yours respectfully,
Z. A. BANDUKWALLA

¹Refers to Syedna Taher Saifuddin, spiritual head of Dawoodi Bohras.

²It is generally believed by the Ithna 'Ashari and some other Muslim sects that the last (twelfth) Imam, had gone into occultation in 1259 A. H. and would reappear at a suitable time to restore the ascendancy of Islam.

³Sheriff of Bombay during October 1946. See Appendix V, Vol. I, Part II, 75.

35

Tentative Draft for Mr. Jinnah's Consideration¹

F. 2/178

[5 July 1947]

I have been considering the question as to who should take the

chair at the Joint Defence Council which has been set up between Pakistan and India, and if you decide to accept the Governor-Generalship of the Dominion of India and your future Government will permit you to act as an impartial Chairman on behalf of the Pakistan Government I should be very glad if you would act in this capacity.

¹At the bottom of the original, the words "5th July 47/interview" were written by Jinnah, apparently to relate it to his interview with Mountbatten on that date. In the record of the interview, Mountbatten says, "I asked him whether he still wished me to be the Chairman of the Joint Defence Committee if I remained as Governor-General of the Dominion of India; and he confirmed that this was what he wanted. I asked him to let me have a letter to this effect. He promised to send me such a letter". See Appendix V. 1. The paper on which this draft was typed bore the same watermark that Mountbatten's letters to Jinnah did. It was, probably, handed by Mountbatten, during the interview, to Jinnah who, before returning it to the former on 8 July, added the words, "...I have considered your suggestion...." See No. 67. Also see No. 545, item 2, *TP*, XI, 947; Confidential Annex to No. 564, *ibid.*, 979; and No. 7, *ibid.*, XII, 7.

36

M. A. Jinnah to Louis Mountbatten

F. 2/179¹

IMMEDIATE/MOST URGENT

5 July 1947

Dear Lord Mountbatten,

I am enclosing herewith the draft [of a] telegram and request you to communicate it to the Prime Minister² and also to the Leader of the Opposition.³ I did not like to send the telegram direct without informing you about it, but if you find any difficulty in doing so, I hope you will not mind letting me know so that I can then send it on directly today to the Prime Minister and the Leader of [the] Opposition.

There is one more matter which I am examining and that is the authority or sanction behind who would be able to execute and enforce the partition award in terms of the decision of the contemplate[d] Arbitral Tribunal. I shall send that on to you on Monday.⁴ But if you are unable to send the enclosed telegram today, it follows that I shall similarly have to communicate the other matter directly on Monday.

Yours sincerely,

M. A. JINNAH

¹Also see No. 534, *TP*, XI, 937.

²Clement Attlee.

³Winston Churchill.

⁴7 July 1947. See Enclosure to No. 52.

Enclosure to No. 36

F. 2/180¹

DRAFT TELEGRAM

Clause 2 of Indian Independence Bill² allots Andaman and Nicobar Islands to Dominion of India. These islands have never formed subject of discussion or agreement between parties at any time. Their sudden inclusion in India raises very grave issue. They are not part of India historically or geographically. They were British possessions administered by Government of India and are not in same category as other Chief Commissioners' Provinces being reserved to Governor-General under Constitution Act 1935. Majority of population consists of tribes who are not connected with peoples of India by ethical [*sic* for ethnic], religious or cultural ties. Pakistan's claim to these islands [*is*] very strong since only channel of communication between eastern and western Pakistan is by sea and these islands occupy important strategic position on sea route and provide refuelling bases. Dominion of India have no such claim. They should form part of Pakistan.

I pointed out above facts on seeing Bill and suggested that if no immediate decision was feasible islands should be excluded from scope of Bill and dealt with separately. Surprised to find no alteration in Bill as published this morning. Urge most strongly this grave injustice to Pakistan be rectified in Parliament.

¹Also see No. 536, *TP*, XI, 938-9.

²Enclosure 1 to No. 1.

37

Zafrullah Khan to M. A. Jinnah

F. 358/13-4

SAVOY HOTEL, LONDON, W.C. 2,
5 July 1947

Dear Mr. Jinnah,

I have, in accordance with your instructions,¹ been on the lookout for a competent parliamentary draftsman and a constitutional adviser. The only draftsman available (Mr. John Sparrow,² Bar-at-Law, 3 New Square, Lincoln's Inn, W. C. 2) is unwilling to go out to India for any period beyond the middle of October. He could be in India by 1st

August. He could perhaps be persuaded to stop in India till the end of October or possibly the middle of November. His terms are likely to be passage there and back, hotel and conveyance, etc., and £ 2,500 as fee. He is admittedly very competent. One obstacle in his way is that he has already refused a similar offer from India on the ground that he cannot leave his practice for *six*³ months.

Two constitutional advisers have been recommended, both K.Cs.⁴: G.O. Slade,⁵ Brick Court, E.C. 4, and G.R. Upjohn,⁶ 6 Stone Buildings, W.C.2. Slade has much the larger practice of the two but has some diffidence with regard to his own suitability for the task. He would be willing to come over and would only require passages for himself and wife and hotel accommodation, etc., for both. He would require no fee for himself as his income is so large that all but a very small portion of the fee would go in tax, but his clerk would have to be compensated for loss of *his* fees. Upjohn would be possibly more competent for the job but would come out only if Sparrow came out as draftsman and his terms would be passages and hotel, etc., for his wife and self and a fee of ten thousand guineas. Both would be keen to do the job as well as it could be done. Upjohn will not stay beyond 25th November; Slade can stay on till Xmas. All *three* are highly recommended by Greene, M. R.⁷ and Symonds [Gavin Turnbull Simonds] (Lord of Appeal). Will you kindly let me have an immediate cable as to what you want done. I am leaving here on Friday, 11th July, so your reply should reach me by then.

Radcliffe (Chairman, Boundary Commission) leaves tomorrow. It would be very convenient indeed from many points of view if he *began* with Bengal.

Kindest regards,

Yours sincerely,
ZAFRULLAH KHAN

¹Also see No. 127, Vol. II, 296-7 and No. 21.

²John Hanbury Angus Sparrow.

³Underlined here and subsequently in the original.

⁴King's Counsel.

⁵Gerald Osborne Slade, Chairman of the General Council of the Bar, 1946-48.

⁶Gerald (Ritchie) Upjohn, Bar-at-Law.

⁷Master of the Rolls.

38

Louis Mountbatten to M. A. Jinnah

F. 2/177

THE VICEROY'S HOUSE,
NEW DELHI,
5 July 1947

Dear Mr. Jinnah,

Thank you for your letter of 5th July.¹ I have sent your telegram² to the Secretary of State and have asked him to communicate it to the Prime Minister and also to the Leader of the Opposition.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 36.

²Enclosure to No. 36.

39

Nawab of Bhopal to M. A. Jinnah

F. 603/8

SECRET

QASR-I-SULTANI, BHOPAL,
5 July 1947

My dear Quaid-i-Azam,

If my proposal about Jehan Zeb¹ for the N.W.F.P. is receiving your favourable consideration, then I would suggest putting A.D.F. Dundas² as his adviser. Dundas has served on [sic] the N.W.F.P. throughout his service and has a good record there. If you want more details about him I can let you have them. At present he is serving in the Defence Department. The more I think of the proposal about Jehan Zeb the more I like it.

I would also bring the name of Weightman, Secretary in the External Affairs Department, to your notice. He has served in Baluchistan and the N.W.F.P. and is a first class man with wide revenue experience.

Yours very sincerely,
HAMIDULLAH

¹Probably refers to Prince Miangul Jehan Zab of Swat State. No record in respect of "proposal about" him is however available in QAP.

²Secretary, Government of India, Defence Department, 1946-47.

40

Firoz Khan Noon to M. A. Jinnah

F. 399/180

LAHORE,
5 July 1947

Dear Mr. Jinnah,

Mamdot has asked me to work for the Boundary Commission; so I am staying on here for the work.

It is essential that Din Moh[amma]d¹ and Munir,² who are our nominees³ and advocates, should have a knowledge of the background of the decision. It would be very desirable if you could invite them to come to Delhi to see you so that you can tell them their limitation and the scope which they have for making alterations in the existing boundary. If we strictly adhere to the principle of contiguity and majority some very curious shapes will appear on the map.

Yours sincerely,
FIROZ NOON

¹Judge, Lahore High Court, 1936-46; Member, Punjab Boundary Commission.

²Muhammad Munir, Judge, Lahore High Court, since 1942; Member, Punjab Boundary Commission.

³See No. 224, Vol. II, 436-8.

41

Norwef, Peshawar, to Foreign, New Delhi¹

Telegram, F. 10/132

IMMEDIATE/SECRET
No. 252-CB

PESHAWAR,
5 July 1947

Morning of July 3rd Sardar Faiz Muhammad Khan² WW 243 returning from *Ankara*³ to Kabul halted Jamrud and made speech to those present to effect that area up to Jhelum belonged to Afghanistan and that tribesmen should fight for *Pathanistan* against *Pakistan*. Suggest strong protest to Afghan Government tending if deemed fit to demand of [*sic*] apology for breach of diplomatic etiquette.

¹The telegram was sent by Government of NWFP to External Affairs and Commonwealth Relations Department, Government of India, and repeated to British Minister at Kabul.

²Afghan Ambassador at Ankara.

³In capital letters here and subsequently in the original.

42

Mahomed Abedeen Peerbhoy to M. A. Jinnah

F. 162/211-4

77B HILL ROAD, BANDRA, BOMBAY,
5 July 1947

Dear Sir,

Assalaamo 'Alaikum

Service to the Pakistan cause prompts me to address you as one of the leaders for [sic] the future Pakistan State. I crave your indulgence for encroaching upon your most valuable time in order to bring to your notice certain important points requiring consideration which in the midst of the gigantic burdens you are shouldering may possibly escape your attention.

You must have read Mr. G. D. Birla's statistics (1939-40) on economy of Hindustan and Pakistan.¹ I give below statistical position regarding two of the nation-building institutions not included in the above.

Indian Banks	Total	BANKS (1945)		
		Investment in Government and other Securities	Total in Pakistan	Investment in Government and other Securities in Pakistan including Sylhet and N.W.F.P.
Scheduled Banks				
Class A-1	82		11	Rs. 47,71,09,000
Non-Scheduled Banks		Rs. 4,52,11,20,000		
Class A-2	62		15	Rs. 2,16,31,000
Class B	174	Rs. 8,25,14,000	24	Rs. 1,03,02,000
Class C	114	Rs. 1,53,05,000	12	Rs. 17,26,000
Class D	244	Rs. 49,69,000	Details not available	
Co-operative Banks				
Class A	50	Details of situation not known in absence of enlarged maps of different Provinces		
Class B	323			

EXPLANATION

[Category]	Paid up Capital and Reserves
Class A-1 and A-2	Rs. 5 lakh and over
Class B	Between Rs. 1 lakh and 5 lakh
Class C	Between Rs. 50,000 and 1 lakh
Class D	Less than Rs. 50,000
Co-operative Banks	
Class A	Of Rs. 5 lakh and over
Class B	Between Rs. 1 lakh and 5 lakh

INSURANCE (1945)						
Total No. of Indian Companies	Total Cos. of which statistics available	Muslim	Assets			Investments in Government Securities
244	226	5	Total Muslim Cos.	Rs. 1,38,27,12,000		Rs. 87,19,73,000
				Rs. 1,04,16,000		Rs. 41,49,000
No. of Cos. in Pakistan including Sylhet and N.W.F.P.						
21	18	1	Total Muslim Cos.	Rs. 11,14,57,000		Rs. 5,48,98,000
				Rs. 5,42,000		Rs. 3,19,000
Total Provident Cos.						
125	118	2	Total Muslim Cos.	Rs. 89,57,000		Rs. 52,71,000
				Rs. 1,21,000		Rs. 64,000
No. of Provident Cos. in Pakistan including Sylhet and N.W.F.P.						
11	10	Nil	Total Muslim Cos.	Rs. 5,54,000		Rs. 3,31,000
				Rs. Nil		Rs. Nil

BANKS AND INSURANCE COMPANIES

The labour involved in preparing the above statistics has been undertaken for a purpose. These are the two main institutions which serve as absorbers and reservoirs of Government loans. There is one big Muslim Scheduled Bank at Bombay. There are three Muslim Insurance Companies at Bombay and one at Calcutta. If influence is exercised or inducement offered to get their Head Offices transferred, even nominally, to a Pakistan Province, funds may become available for investment in Pakistan State Bank (referred to hereunder) or Pakistan State Loans, and thus Pakistan State may benefit also by Super and Income taxes.

There is only one Muslim jute mill at Calcutta. Its Head Office can be transferred nominally to a Pakistan province for the above reasons. There are instances of jute and other companies with plants and properties in India but Head Offices outside India.

AMENDMENTS TO LAWS

If the policy of salvaging as much Muslim money as possible for Pakistan is approved, the expediency of amendments to the Indian Companies Act re[garding] Banks and Insurance Act will require immediate consideration, so that it may also become possible to rope in Hindu Companies (including mills, factories, etc.) in Pakistan regarding investments in Pakistan State Securities instead of Govt. of India or other approved Securities and Taxes. There is danger of flight of Hindu capital. Some big Hindu Banks and Insurance Companies have already taken steps to transfer their Head Offices from Lahore to Delhi. In order to prevent further flight of capital the expediency of imposing a ban on such transfers or offering sufficient inducement to retain

them in Pakistan provinces will also require urgent consideration.

It is assumed that both Hindustan and Pakistan will adopt all the existing laws and regulations; that Hindustan will be heir to the Reserve Bank and centralised offices; that as a consequence, Pakistan State will create corresponding departments so that disruptive forces may not take undue advantage of the non-existence of such corresponding collecting, controlling and restrictive machinery.

NEED FOR A STATE BANK OF PAKISTAN

It is assumed that it will be found expedient at present to allow the Reserve Bank to act for both the Dominions. But the point requiring attention is that capital may become shy with the advent of likely financial stringency in the not distant future and the jubilant enthusiasm of the near future may be missed, if immediate steps are not taken to float a State Bank of Pakistan, on the lines of the Reserve Bank of India, to regulate currency, credit, exchange, controls on banking, etc., etc. As Pakistan will have to depend more on agricultural revenue, such a Bank will serve a useful purpose in development and control over Co-operative Agricultural Credit Societies, Co-operative Marketing or Warehouse Societies, etc. An additional advantage will be saving of interest on Muslim Charitable Trust Accounts, when offices are opened in Hindustan provinces also. It will be necessary for its success to undertake preliminaries immediately.

NATIONALISATION OF INDUSTRIES AND INSTITUTIONS

Since a new State of Pakistan is being established, consideration will have to be given at the earliest as to which and to what extent public utilities, industries and institutions should be nationalised.

CONTROL OVER MILLS AND FACTORIES IN PAKISTAN

It is assumed that the present controls over some of the important items of consumption will continue both in Hindustan and Pakistan and a working agreement arrived at. But the point requiring attention is whether control over production of mills in Pakistan and distribution is still to remain in the hands of Hindustan. The danger of unfair, revengeful mal-distribution, deliberate delays in allotment, etc., requires consideration. Take the instance of cloth control. Is the control over production of cotton mills in Bengal and Punjab and allotments thereof to remain in the hands of the Textile Commissioner of the Provinces as hitherto? There is another point of importance. Crores of rupees have been minted by Hindu-nominated buyers of Muslim provinces from the safest commission business of procurement of cloth bales from producing centres like Bombay, Ahmedabad, and Sholapur during the last two years. Is that policy still

going to remain unchanged? The following statistical position as at end of 1946 will speak for itself. The figures relate to procurements from Bombay City alone:

Province	No. of bales allotted in approximate round figures on an average per month	Number of nominated buyers	
		Hindus	Muslims
Sind	2,600 bales	9 (Associations)	Nil
Baluchistan	700 bales	4	1 (120 bales approx.)
Bengal	7,000 bales	8 (Associations)	Nil
Punjab	11,000 bales	51	4 (800 bales approx.)
N.W.F.P.	1,700 bales	4 (Associations)	1 (340 bales approx.)

None of the Hindu Provinces has entrusted the procurement of cloth bales to Associations as has been done by the Provinces indicated above. It now rests with the Pakistan State to salvage the lost position by nominating Muslim buyers from their respective areas for procurement from producing centres.

PAKISTAN RADIO SERVICE

The necessity for this requires no emphasis to counteract any malicious propaganda from Hindustan and for the benefit of Muslims in Hindustan. Perhaps plans may have already been devised and scheme under active consideration.

If you think the services of a man with initiative and drive with varied experience in business and service, including that of service in the Government of India, Department of Industries and Civil Supplies, Bombay, from where he has been retired owing to superannuation at age 55 can be usefully utilised, I shall be glad to take up such responsible post as you may think suitable, to take the best from me, either in Pakistan Central [Government] at Karachi or Sind Government Service. I can take up duties temporarily at Delhi, if required for preliminary spade work for the service concerned.

Trusting [that] the spirit of my labours in preparation and submission of the above will be understood in its proper perspective—specially in these days of speedy and swift action.

Yours faithfully,
M.A. PEERBHOY
B. A.

PS. This may kindly be passed on to any other leader you would like to get interested.

¹See Annexes I and II to No. 49, Vol. II, 106-9.

43

*Syed Aslam to M. A. Jinnah**F. 917/129*

9980 PUL BANGASH,
DELHI,
5 July 1947

Dear Quaid-i-Azam,

This scheme¹ has waited for the last nine months for your approval, disapproval or amendment. Could I be granted a few minutes [so] as to be in a capacity to dispose it of in a suitable manner.

Yours most obediently,

S. ASLAM

M.B.B.S.

Pathologist and Physician

¹Enclosure.

Enclosure to No. 43

F. 917/130-1

THE MUSLIM NATIONAL INFORMATION BUREAU
(with its branches in most of the Muslim countries)

OBJECT[S]

1. To enlighten the masses, Muslims in particular
2. To elucidate the Muslim League view-point
3. To organise Muslims under one banner
4. To further friendship among Muslim countries
5. To evolve a perfect instrument of public contact
6. To establish an organ of Muslim national propaganda
7. To provide opportunities for the free expression of opinion and description of events unprejudiced and unbiased

POLICY

Regarding policy, the management is responsible to the President of the All India Muslim League, or any such body appointed by him.

ORGANS

There will be two organs issued from each of its branches:

1. Daily paper of standers [*sic* for standard] size with local supplements if needed

2. A bi-monthly magazine of eighty pages and of fourteen inches by eleven inches size

MEDIUM

The language of the country is to be employed [sic] as a medium of expression. In case of Pakistan Urdu will be printed with iron letters. A search is already in progress to get as close to *Khat-i-Nasta'leeq* as possible. Large-scale, clear, legible and quick printing is not possible otherwise.

PRIORITY

Branches will be installed in most of the Muslim countries in the following order of priority:

1. Pakistan
2. Egypt (Cairo)
3. Turkey (Istanbul or Ankara)
4. Baghdad
5. Tehran
6. To be considered as opportunity arises and the material [is] available.

[Rest of the document containing provisions regarding Capital, Board of Directors, Directors' Qualifications, Directors' Remuneration, Transfer of Shares, Bankers, Auditors, Management, Machinery, Material, and Communications omitted]

S. ASLAM
M.B.B.S.

44

Syedna Taher Saifuddin to M. A. Jinnah

F. 433/4-5

URGENT

ZAINI MAHAL, SURAT,
5 July 1947

Dear Mr. Jinnah,
Assalaamo 'Alaikum

I have been incessantly doing my best for organising Pakistan finances and industrial development of our areas. Some commercial and industrial magnates from my *Jama'at* are visiting Karachi and Chittagong next week for exploration purposes. After visiting Calcutta, Madras, etc., in connection with this object, my brother, S. Safiyuddin, and son-in-law, Taherbhai Saheb, are expected to reach Karachi also next week where my son, Y. Najmuddin, too is to arrive from London. They

intend to stay there for about five days and during this time will discuss with authorities concerned on [sic] such and other allied subjects.

Our first and foremost problem is *food*¹ and, secondly *cloth*. You are perhaps fully aware that a beginning has already been made with the latter object, and foundation of a textile mill was laid in Karachi on the 30th ultimo. A section of my *Jama'at* in Gujerat is consisted [sic] of hereditary agriculturists and they are well-versed in their avocations. Once I had sent some of them to Sind for agricultural purposes and they had then acquired some knowledge of local conditions and remarked well about the great fertility of the soil. I have, therefore, asked some of them, from about a dozen such small villages in Gujerat, to go to Karachi immediately again, which they are doing, and I believe it would be an opportune time for them to see things on the spot and discuss matters with the authorities concerned in the presence of my aforesaid brother, etc.

It is my idea that little villages and towns should be built up upon and near about the different canals in Sind whose concerted energy be devoted for producing more and more food, and for this purpose Government should provide all possible facilities and render help to such agriculturists by procuring for them useful land, cattle and necessary implements and arranging financial assistance either on easy loan or in some other way.

It is my desire, if you think [it] advisable, you would be pleased to write to the authorities concerned in Sind to render all possible help to my brother, etc., for formulating programmes, specially for the said agriculturists, during their stay in Karachi next week.

Hoping you are quite hale and hearty,
With kind regards and benedictions,

Yours sincerely,
SYEDNA TAHER SAIFUDDIN

¹Underlined here and subsequently in the original.

45

Uttam Prakash Bansal to M. A. Jinnah

F. 85/9

CHAWRI BAZAR, DELHI,
6 July 1947

Dear Sir,

If you ever think of selling your *kothi* No. 10, Aurangzeb Road, New

Delhi, please inform me. I assure you [a] most handsome price for it.

Yours faithfully,
UTTAM PRAKASH
B.A., LL.B.

Contractor, Land and Estate Agent

46

N. A. Faruqui to PS to Nawab of Bhopal

F. 603/7

No. C/137

KARACHI,
6 July 1947

Sir,

As you must already be aware, the Pakistan Government has selected Karachi as their temporary capital. Their stay in Karachi is at present expected to last from 5 to 10 years. Superior accommodation is immediately required for the Honourable Ministers of the Pakistan Government. I am, therefore, to request you to place this letter before His Highness and to request him to permit his bungalow at Clifton, Karachi, to be used for this purpose.

2. I request the favour of [a] very urgent reply.

Your obedient servant,

N. A. FARUQUI
*Collector and Chairman,
Pakistan Government Accommodation Committee*

47

Mirza Ahmad Ispahani to M. A. Jinnah

F. 310/62

51 EZRA STREET, CALCUTTA,
6 July 1947

My dear Mr. Jinnah,

I have very good news to give you about Sylhet. Since the last ten days' strenuous work, the whole position has changed, and now it looks, by the grace of God, we will easily win our referendum.

This morning I have again sent Mr. Muazamuddin Hosain¹ by air with money. So far I have paid out one lakh and twenty-five thousand rupees (Rs. 1,25,000). I expect there will be more money to be paid. I am trying to stop all possible wastage.

The Hindus have brought the Sikhs and Nagas to terrorise the Muslims. We, therefore, had to send a large contingent of Muslim National Guards. So far we have fifteen hundred of them distributed all over Sylhet.

With kind regards,

Yours sincerely,
MIRZA AHMAD ISPAHANI

¹Minister for Education and Revenue, Bengal, 1946.

48

Liaquat Ali Khan to M. A. Jinnah

F. 10/138-42

GUL-I-RAANA, NEW DELHI,
6 July 1947

NOTE ON THE ORGANISATION OF THE PAKISTAN GOVERNMENT

Appendix "A"¹ gives an outline of the existing structure of the present Government of India.

2. There are 19 Departments, distributed among 14 portfolios. Each Department is under a Secretary who is the executive head of his Department. He is assisted by Deputy, Under and Assistant Secretaries according to the size of the Department. The bigger Departments have also Additional or Joint Secretaries (who have authority more or less equal to that of the Secretary). Each portfolio is held by a Member of the Cabinet. Normally, each Member has one Department under him, but there are a few Members who have two Departments. Most of the Departments have a number of Attached and Subordinate Offices. These Attached and Subordinate Offices are not reckoned as part of the Government of India Secretariat. Their functions are not the framing and administration of policy but the execution of the policy laid down by the Secretariat.

3. On the assumption that all the subjects dealt with by the present Government of India will be dealt with by the Pakistan Government, each Department will have to be divided and a duplicate organisation created. This duplicate organisation need not have the full complement of Secretary, Joint Secretary, Deputy Secretary, etc. A reorganisation of the Pakistan Secretariat to suit the needs of the Pakistan Government will later be undertaken, but it will complicate the process of division unnecessarily if an extensive reorganisation is undertaken simultaneously with the division. It follows that 19 Departments will be immediately created for Pakistan. As a purely interim arrangement some of these Departments will be in the charge of a Deputy Secretary or even of an Under-Secretary and in some cases a senior officer from a related Department would be put in supervisory charge of the work.

4. In the grouping of these Departments into portfolios it is unnecessary to follow the present model. In fact, the present distribution of portfolios in the Government of India and their relation to each other is not dictated by considerations of efficiency but by political and other considerations which would become irrelevant in the new context.

5. It is suggested that there should be 9 portfolios in the Pakistan Government. These portfolios are given below:

- i. *External Affairs and Commonwealth Relations*²
- ii. *Finance*³
- iii. *Defence and Home*⁴
- iv. *Commerce, Industries and Supplies; Works, Mines and Power*⁵
- v. *Communications and Transport*⁶
- vi. *Agriculture and Food*⁷
- vii. *Education and Broadcasting*
- viii. *Legislative*⁸
- ix. *Labour and Health*⁹

6. The Cabinet will consist of one Prime Minister and 8 Ministers.

7. The Prime Minister will, as in the U.K. and Dominion Cabinets, be the leader of the Cabinet exercising authority over the *whole field of Government*.¹⁰

His main responsibility *will be the co-ordination of all governmental activities including, as an important element, the development plans of the Pakistan Government.*

He will have under him:

- i. *Cabinet Secretariat*
- ii. *Publicity Organisation*¹¹
- iii. *Economic Adviser*
- iv. *Central Statistical Organisation*
- v. *Public Service Commission*

- vi. An organisation for the administration and control of the Pakistan Administrative Services and the Secretariat
- vii. Development Board

All the activities enumerated above are common to all Departments and should properly be placed under the Prime Minister. This will ensure co-ordination and control.

8. The Pakistan Government should be closely integrated and should not inherit the individualistic tendencies characteristic of the Departments of the Government of India, not only now but even previously. Whitehall, although a vastly bigger administrative machine, works with much more effective co-ordination than the Government of India has ever done. In Whitehall this is ensured mainly by two means. Firstly, by the Treasury, which by long historical tradition extending over centuries has been the hard core of the British Government. The Permanent Secretary of the Treasury is the Head of the British Civil Service and senior appointments in all Departments are made by the Prime Minister on his advice. The Treasury through its Organisation and Methods Division controls the organisation and establishment of other Departments. Secondly, by the Cabinet Secretariat, which in more recent times has been an important means of co-ordination. The Cabinet Secretariat has attached to it the Economic Council and the Central Statistical Organisation.

9. In the circumstances of Pakistan the best means of securing co-ordination would be through the creation of the appointment of Principal Secretary to the Pakistan Government. He would be the Secretary to the Cabinet and would be responsible to the Prime Minister. He would be in administrative charge of the organisations enumerated in paragraph 7 above and would co-ordinate at the departmental level the work of the Pakistan Government. He would be the Head of the Pakistan Administrative Services and senior appointments in all Departments would be made by the *Prime Minister on his advice*. The proposals made above follow closely the recommendations of the *Rowlands Report on Bengal Administration*.¹² They will, it is hoped, produce a *fully integrated administration* in which the policy laid down by the Cabinet with a single will is translated into *executive action by the entire administration* working as a team.

10. Brief reasons are given below for *grouping*¹³ the various Departments into portfolios:

- i. External Affairs and Commonwealth Relations are aspects of foreign relations and should in fact be a single Department. The External Affairs portfolio should in the first few years be held by the Prime Minister.¹⁴ Later on, perhaps, he might divest himself of it, but in the earlier years, when relations with the outside

world would be of the utmost importance, the Prime Minister is the most suitable person for holding this portfolio.

- ii. Finance, including the raising of revenue, currency and banking, is a heavy portfolio requiring the whole-time attention of a Minister.
- iii. Defence and Home. The most important functions of the Home Department are law and order, internal politics, intelligence: in short internal security in all its aspects. In the earlier years, Pakistan Government would have to concentrate on internal defence and there is considerable advantage in having both these Departments in one portfolio.
- iv. Commerce, Industries and Supplies, and Works, Mines and Power are all closely connected subjects since trade, industrial development, and the development of power are closely related to each other. It is possible that this may prove to be too heavy a portfolio in which case perhaps certain subjects could be taken out of it and added to other Department.
- v. Transport and Communications are obviously closely connected and therefore should go into a single portfolio.
- vi. The same remarks apply to Agriculture and Food. In regard to Food, the Pakistan Government will fortunately not have many problems but for a predominantly agricultural economy, agricultural research, increase in agricultural productivity and the maintenance of fair agricultural prices are matters demanding close and constant attention.
- vii. Education and Broadcasting. The Broadcasting service should be converted into a means for the education of the public in the broadest sense of the word. Hence it is desirable to associate it with the Education Department. Publicity regarding Government policy being a matter affecting all Departments, would, as has already been suggested, be placed under the Prime Minister.
- viii. For the first few years the Legislative Department would have a very heavy programme of work since the entire body of Indian legislation would have to be reviewed in order to adapt it to the requirements of Pakistan.
- ix. Neither Labour and [sic for nor] Health Departments are likely to be so heavy as to require a separate Minister in charge of each of them.

11. To organise duplicate Departments for purposes of division and to carry out division of records, etc., it is essential to nominate Muslim officers in various Departments who can be put in charge of the work in those Departments and also be members of the expert committees appointed in these Departments. Appendix "B" gives a proposed list

of such officers.¹⁵ If this is approved, steps will be taken to put these officers in the picture and to ask them to start the study of the problems arising out of partition. Periodical meetings of these officers will be called so as to co-ordinate their work.

¹Enclosure.

²Sidelined in the original by Jinnah who also noted: "Foreign Affairs, Defence".

³Ticked in the original by Jinnah apparently to signify approval.

⁴"Home" bracketed by Jinnah who also added the words, "Information & Broadcasting & Education".

⁵Sidelined in the original by Jinnah.

⁶Sidelined in the original by Jinnah who also added the word "Labour".

⁷Sidelined in the original by Jinnah.

⁸Sidelined and underlined in the original by Jinnah.

⁹Sidelined and encircled in the original by Jinnah.

¹⁰Underlined here and subsequently in the original by Jinnah.

¹¹Encircled in the original by Jinnah.

¹²*Bengal Administration Enquiry Committee Report, 1944-45*, contained a number of recommendations, the salient ones being: abolition of the posts of Commissioners of Divisions; equalization of prospects of district and secretariat officers; increase in the number of Districts and of members of the Board of Revenue. See No. 318, note 12, *TP*, V, 700, and No. 324, para 10, *ibid.*, VI, 719.

¹³Groupings of Departments for allocation of portfolios were later changed. See Annex.

¹⁴Ticked in the original by Jinnah apparently to signify approval.

¹⁵Not available in *QAP*. A list of some relatively junior Muslim officers and staff in some Secretariat Departments is, however, available in Enclosure to No. 230, Vol. II, 447-57.

Enclosure to No. 48

F. 10/143-8

APPENDIX "A"

Portfolio	Department	List of subjects dealt with	Subordinate and allied offices
1. Food and Agriculture	a. Agriculture Department	1. Agriculture (including Grow More Food, Agricultural Research, Marketing, Dairying, Indebtedness and Statistics) 2. Animal Husbandry 3. Fisheries 4. Forest 5. Emergency Irrigation 6. Cooperation 7. Survey of India	1. Imperial Council of Agricultural Research 2. Survey of India 3. Central Agricultural Marketing Department 4. Forest Research Institute, Dehradun 5. Indian Veterinary Research Institutes 6. Botanical Survey of India 7. Indian Central Cotton Committee

		8. Botanical and Zoological Surveys	(including Technological Lab.)
		9. Livestock	8. Indian Central Jute Committee
		10. Fruit Development	9. Indian Central Sugarcane Committee
			10. Indian Lac Cess Committee
			11. Indian Dairy Research Institute
			12. Indian Central Tobacco Committee
			13. Fisheries Advisers
			Directorates of Planning, Procurement, Rationing, Statistics, Storage, Inspection; Chief Director of Purchase and Technical Standardization Committee
			Directorates of Planning, Procurement, Rationing, Statistics, Storage, Inspection; Chief Director of Purchase and Technical Standardization Committee
	b. Food Department	1. Control of Food Policy from all-India point of view, including planning in regard to post-war period and basic plan for distribution	
		2. Rationing and Nutrition	
		3. Storage of foodgrains	
		4. Procurement, purchase and distribution of foodgrains for civil needs and supply against Defence Services requirements	
		5. Sugar—policy re. production, distribution and prices	
2. Commerce	Commerce Department	1. Trade and Commerce (Internal and External) including Commercial Intelligence and Statistics; Trade representation abroad; Registra-	1. Chief Controller of Exports and Imports
			2. Superintendent of Insurance
			3. Commercial Publications Branch

		tion of capital goods; Trade Agreements and Commercial Treaties	4. Jute Shipments Coordination
		2. Tariff Policy	5. Controller of Enemy Trading and Custodian of Enemy Property
		3. Control of Imports and and Exports	6. Controller of Indian Shipping
		4. Trade Marks, Company Law and Insurance	7. Director of Commercial Intelligence and Statistics
		5. Marine (Maritime Shipping and Navigation, Marine Engineering and Lighthouses and Lightships)	8. Director of Seamen's Welfare
			9. Administrative Intelligence Room
			10. Trade Commissioners Overseas
			11. Tea Licensing Committee and Tea Market Expan- sion Board
			12. Economic Adviser
			13. Lighthouses and Light- ships Dept. and Mercan- tile Marine Training Ships
			14. Mercantile Marine Department (Karachi, Bombay, Madras and Calcutta)
			15. Registrar of Joint Stock Companies
			16. Tariff Board
			17. Trade Marks Registration Offices and Advisory Committee
3. External Affairs	a. External Affairs Department	1. External politics, relations with foreign States (other than Common- wealth countries) and Consular appointments and Foreign Publicity	
		2. Control of Tribal Areas, matters relating to certain Indian States (e.g. Kalat, Dir, Swat, etc.) and British Baluchistan and Leased Areas	
		3. Extradition, Passports, Repatriation	
		4. United Nations Organisation	
		5. Post-war developments in Tibet, Bhutan, Nepal, Sikkim, Gilgit, Persia, and Persian Gulf	

	b. Commonwealth Relations Department	<ol style="list-style-type: none">1. Conduct of relations between India and the Dominions including welfare of Indians in the Commonwealth2. Emigration and Immigration3. Pilgrimage	<ol style="list-style-type: none">1. Agent of the Govt. of India in Ceylon, Representatives in Burma, Singapore and High Commissioners for India in the Union of South Africa and Australia2. Protectors of Emigrants3. Port and Provincial Hajj Committees
4. Communications	Communications Department	<ol style="list-style-type: none">1. Posts and Telegraphs2. Civil Aviation3. Meteorology4. Railway Inspectorate	<ol style="list-style-type: none">1. Posts and Telegraphs Department2. Civil Aviation Directorate3. Air Transport Licensing Board4. Director-General of Observatories5. Chief Government Inspector of Railways
5. Education	Education Department	<ol style="list-style-type: none">1. Education—general, technical and professional—including the Aligarh, Delhi and Benares Universities2. Imperial Library and Indian Museum3. Copyright, Registration of books, museums and records4. Scientific and Cultural Societies5. Archaeology and Anthropology6. UNESCO7. Higher Studies and educational facilities abroad	<ol style="list-style-type: none">1. Imperial Library, Calcutta2. Imperial Record Department3. Director-General Archaeology4. Delhi Polytechnic5. All India Council for Technical Education and Central Advisory Board of Education
6. Finance	Finance Department	<ol style="list-style-type: none">1. Establishment, Pay and Conditions of Service, Rules and Regulations2. Currency, Banking, Coinage (including dealings with Reserve Bank)3. Central Budget4. Loans and Advances, Ways and Means and Small Savings5. Financial Policy with	<ol style="list-style-type: none">1. Auditor-General of India2. Security Printing Press3. Mints (Bombay, Calcutta and Lahore)4. Reserve Bank of India5. National Savings Bureau6. Income Tax, Salt, Excise and Customs Dept.

		regard to Planning	
		6. Examiner of Capital Issues	
		7. Taxation	
		8. Policy with regard to Defence, Communications, Food, Industries and Supplies and Railways	
7. Health	Health Department	<ol style="list-style-type: none"> 1. Public Health and Sanitation including Public Health Services, Prevention and Control of Disease, Medical relief, Public Health and Research 2. Local Government 3. Nursing 	<ol style="list-style-type: none"> 1. All India Institute of Hygiene and Public Health (Calcutta) 2. Biochemical Standardisation Laboratory (Calcutta) 3. Central Research Institute 4. Central Quinine Office 5. Director-General, Indian Medical Services and Public Health Commissioner 6. Malaria Institute of India 7. Medical Council of India
8. Home and Information	a. Home Department	<ol style="list-style-type: none"> 1. General matters relating to recruitment, appointment, etc., pertaining to all-India and other Services 2. Administration of Chief Commissioners' Provinces 3. Law and Order and internal politics including Press Laws 4. Jail Administration 5. Central Intelligence Bureau 	<ol style="list-style-type: none"> 1. Civil Selection Boards 2. Intelligence Bureau 3. National Service Tribunals and Advisory Committees
	b. Information and Broadcasting Department	<ol style="list-style-type: none"> 1. Press Relations 2. Broadcasting 3. Publicity (Internal and External) 	<ol style="list-style-type: none"> 1. Director-General, All India Radio 2. Advertising Branch 3. Press Information Bureau 4. Publications Division
9. Industries and Supplies	Industries and Supplies Department	<ol style="list-style-type: none"> 1. Procurement of stores for the Central Government (excepting foodstuffs) and their disposal 2. Organisation of Industry 	<ol style="list-style-type: none"> 1. Directors-General, Industries and Supplies, Disposals and Aircraft 2. Iron, Steel Controller 3. Director-General of Ordnance Factories

	[b] Transport Department	<ol style="list-style-type: none"> 1. Major Ports 2. Pilotage 3. Coordination of Transport and Regional Railway Priorities 4. Central Road Fund and Petrol Rationing 5. Post-war road development 	<ol style="list-style-type: none"> 1. Port Trusts 2. Central Road Board 3. Country Craft Organisation 4. Indian Roads Congress 5. Railway Priority Organization
13. Defence	Defence Department	<ol style="list-style-type: none"> 1. Army, R.I.N., R.A.F., and R.I.A.F. 2. Local Self-Government in Cantonment Areas 3. Ecclesiastical Affairs 	
14. Works, Mines and Power	Works, Mines and Power Department	<ol style="list-style-type: none"> 1. Construction 2. Oil and Petroleum products 3. Gas, Boilers and Electricity 4. Stationery and Printing 	<ol style="list-style-type: none"> 1. Central Technical Power Board 2. Central Waterways, Irrigation and Navigat- ion Commissioner 3. Geological Survey

Annex to No. 48

STOP PRESS¹

Pakistan Central Ministry

KARACHI, Aug. 14: The new Pakistan Dominion Central Ministry will consist of six members headed by Mr. Liaquat Ali Khan, Premier, who will also be Minister for External Affairs and Defence, it is authoritatively learnt today.

The following will be the personnel of the Ministry along with their portfolios and will be sworn in tomorrow:

Mr. Liaquat Ali Khan—External Affairs and Defence

Mr. Ghulam Mohammed—Finance

Mr. Ghazanfar Ali Khan—Home, Food, Agriculture and Health

Sardar Abdur Rab Nishtar—Railway, Communications, Information and Broadcasting

Mr. I. I. Chundrigar—Commerce, Industry and Civil Supplies

Mr. Jogendra Nath Mandal—Law, Education, Works, Mines and Power.—API.

¹The *Pakistan Times*, 15 August 1947.

49

Iftikhar Husain Mamdot to Liaquat Ali Khan
(Copy to M. A. Jinnah)

F. 373/28-30

MAMDOT VILLA, DAVIS ROAD,
LAHORE,
6 July 1947

My dear Nawabzada Sahib,

A few days ago I informed you about my meeting with the General Manager of the N[orth] W[estern] R[ailway]. The assurances he gave me that day were totally false. He told me that he had not nominated any Committees and that he would give equal representation to the Muslims in all the Committees that he was going to appoint. But, the same evening, he announced in the press the appointment of six Expert Committees. The next morning when I saw that, I wrote to him again saying that he had given me false assurances on the previous day. My letter was delivered to him at 11.30 a.m. and at 2.30 p.m. he called a meeting of some officials and appointed a number of Sub-Committees, each consisting of a Muslim and a non-Muslim member. I am not satisfied with this arrangement either, because he has not changed the complexion of the Expert Committee. Not only that, he has done us the greatest harm by keeping the appointment of the Expert Committees a secret for a long time. I have now found out that the Expert Committees announced on the 2nd of this month had actually been appointed long ago. They have been working all the while and it was after they had sent in their reports and proposals that their appointment was announced. The Partition Committees at the Centre will either have to depend on the data collected and proposals made by the Committees, in which there was not a single Muslim member, or ask for fresh reports and proposals by new Committees with full Muslim representation. Obviously, only the latter course will suit us and in that case you will have to order that you are not going to consider the proposals of the entirely non-Muslim Committees and that new Expert Committees should be appointed and this must be done immediately.

I personally cannot understand as to why Englishmen are generally hostile to the Musalmans. From what I see, I have come to the following conclusions:

- a. They think that now they have to go.

- b. While going they must make money, if possible.
- c. Musalmans are a poor community and the Hindus can pay them well.
- d. Congress may have given them assurances of taking them over and employing them in Hindustan.
- e. They think that in Pakistan Musalmans will have to employ them because of the shortage of experts and technicians, no matter whatever harm they may do to the Musalmans.

I might point out one thing more and that is, I am not satisfied with the stand-still arrangements which are certainly doing us great harm. In spite of the stand-still order they, are removing valuable assets and are also making necessary adjustments by transferring and appointing non-Muslim officer[s] on all key posts. For instance, they have already appointed one Mr. Khanna to take over as General Manager of the Eastern Punjab section of the railways, but no such arrangements are being made on our side. There are many other matters of this kind. I do not know the exact position at the Centre but I feel that if immediate steps are not taken, we are sure to lose a great deal. The division of assets is not the only thing. We must make sure that:

1. We get our proper share of the assets.
2. That our train services are not dislocated from August 16 onwards on account of:
 - a. Shortage of coal
 - b. Strikes by non-Muslim employees. (The General Manager himself told me that he was very much worried as all the non-Muslim staff have written to him that they will not work after Aug. 15)
 - c. Sabotaging of bridges and station yards
 - d. Non-Muslim drivers and workmen rendering the locomotives useless or out of gear
 - e. Collision due to non-Muslim signallers' mischief.
3. We must try and avoid the danger of the valuable records, e.g. plans of station, survey maps, etc., being destroyed or removed. All such records are now in the hands of the non-Muslims and they are actually thinking on these lines. Only a week ago two bombs were recovered from the possession of Hindu clerks in the N.W.R. Headquarters Office. Supposing the plans of Lahore Railway Station are destroyed or stolen and also some damage is done to the water supply system, it will be difficult to locate thousands of feet of pipe line unless we start digging the whole station yards.

I, therefore, suggest that:

1. An Advisory Committee be set up in Lahore to study all these details and to advise the members of the Central Partition Committee thereon.
2. The Advisory Committee be empowered to immediately start making necessary adjustments by temporarily appointing Muslim officers on all key points and to chalk out a scheme to cope with all emergencies.
3. A Muslim officer be appointed General Manager or Additional General Manager for the Western Punjab section.

I propose similar arrangements for Bengal.

Yours sincerely,
IFTIKHAR HUSAIN KHAN

Hon'ble Nawabzada Liaquat Ali Khan,
Finance Member,
Government of India, New Delhi

Copy to:

Chaudhari Moh[ammad] Ali,
Member, Central Partition Committee,
New Delhi

50

Governor-General¹ to Secretary of State for India

Telegram, F. 10/133

IMMEDIATE/SECRET

O.T.P. No. 5268

NEW DELHI,

7 July 1947

Forminka 57 of July 3rd. Future of N.W.F.P.

2. Following is repetition of Norwef [Government of N.W.F.P.] telegram No. 252-CB of 5th July.²

Begins. Morning of July 3rd Sardar Faiz Muh[ammad] Khan W. W. 243.... apology for breach of diplomatic etiquette. *Ends.*

3. Faiz Muh[ammad] Khan is ex-Afghan Foreign Minister and present Afghan Ambassador at Ankara. We trust H.M.G. will instruct H. M. Minister at Kabul to make protest in strongest possible terms to Afghan Government and demand apology.

¹Telegram sent by External Affairs and Commonwealth Relations Department, Government of India and repeated to British Minister in Kabul and Norwef, Peshawar. Copies sent to Baluchistan and U. K. High Commissioner by post.

²No. 41.

51

M. A. Jinnah to Khan Muhammad Khan

F. 886/254

7 July 1947

Dear Sir,

I am in receipt of your letter of 30th June,¹ and beg to inform you that while I wish every success to your venture, it will not be possible for me to allow my name to be associated with your business directly or indirectly. You can well appreciate why I am unable to agree to your request, because if I were to do so, it will give a wrong impression to the public that I am connected with your business [in] some way or the other, which would be wrong. I hope you understand, therefore, why I cannot comply with your request.

Yours faithfully,
M. A. JINNAH

Mr. Khan Muhammad Khan,
Late Assistant Director of Agriculture,
N.W.F.P., Peshawar Cantt.

¹Not available in QAP.

52

M. A. Jinnah to Louis Mountbatten

F. 2/186

MOST URGENT/IMMEDIATE

7 July 1947

Dear Lord Mountbatten,

Thank you for your letter of 5th July¹ informing me that you have sent my telegram dated the 5th July,² which I requested you to send to the Prime Minister and the Leader of [the] Opposition, to the Secretary of State asking him to communicate it to the Prime Minister and also the Leader of [the] Opposition.

I shall feel grateful if you will now similarly send the second telegram, copy of which I am enclosing herewith, with regard to another matter which was under my consideration and which I promised to let

you have today at the latest and was indicated in my letter of 5th July.³

Thanking you,

Yours sincerely,
M. A. JINNAH

¹No. 38.

²Enclosure to No. 36.

³No. 36.

Enclosure to No. 52

Telegram, F. 2/187-9

There is one most serious omission in Indian Independence Bill¹ which might vitiate whole scheme of partition. This is lack of provision for setting up an authority with sanction behind it which could enforce arbitral awards that may be made by Boundary Commissions and the Arbitration Tribunal. I impressed its vital importance upon Viceroy before he went to the U.K. in May and have repeatedly urged its necessity on him ever since I have seen the Bill.

A complete division and transfer and delivery of property equitably between two Dominions by 15th August 1947 is a physical impossibility. It will take many months for Arbitration Tribunal to give its awards. The act of partition is not complete until the award has been executed and physical possession of property taken over by rightful party. Until then assets in question cannot rightfully become property of either Dominion but must remain vested in Crown. A fallacious proposition is advanced that in whichever Dominion property is situated belongs to that Dominion and if that Dominion refuses to carry out terms of award there is no way of forcing defaulting Dominion to give delivery of property to the Dominion to whom it should be transferred in terms of the award. This, I submit, is opposed to every principle and canon of jurisprudence of every country and particularly of Britain and India. The mere situ of property in one or other Dominion cannot make it belong to that Dominion but must be delivered to one or other Dominion in terms of award. Almost all assets are located in Dominion of India which could thus not only deny their use to Pakistan until award is given but could refuse to carry out the award if dissatisfied with it. Adjustment of financial liability between two Dominions would provide a poor solution indeed since grave injury to Pakistan from lack of assets which cannot be had in the market for love or money owing to extraordinary conditions created by war would be of most dangerous character affecting and obstructing stability and whole economic structure and progress of this Dominion. An exceedingly

serious situation would thus be created and very grave consequences would follow if there would be no means left to enforce execution of terms of award. Same situation would arise if the awards of Boundary Commissions are not given till after 15th August and the dissatisfied Dominion refuses to comply.

Muslim League consider that H.M.G. alone is appropriate authority that should undertake and guarantee that awards are given effect to and carried out in all respects. This guarantee will only remain in force till such time as partition is finally and completely effected.

Provision to this effect should be made in the Bill by amending proviso (b) to clause 8(2) and other relevant clauses.² It would also be necessary to provide that these provisions cannot be amended or deleted by either Constituent Assembly.

If H.M.G. find it absolutely impossible to amend the Bill in the above sense, an authoritative declaration should be made by them in the course of the debate in Parliament that they are responsible for execution and carrying out terms of arbitral awards in all respects. This is the least that should be done in the name of fairplay and justice and in fulfilment of their clear responsibility.

¹Enclosure 1 to No. 1.

²Jinnah's suggestions were not incorporated in the Bill, for details, see No. 514, TP, XI, 908; Nos. 71 and 96, *ibid.*, XII, 108 and 141, respectively.

53

M. A. Jinnah to President, Muslim League, London

Telegram, F. 575/7

7 July 1947

Many thanks your invitation¹ join dinner celebrating birth Pakistan. There remains far greater task constructing building up [*sic*] Pakistan which will require every ounce our energy. By grace of God we shall build up new greatest Muslim sovereign state in world with complete unity discipline and faith. Muslim India will discharge its responsibility with full credit and make its contribution towards world peace. I wholeheartedly share your joy celebrating this occasion for which there is no parallel in history.

JINNAH

President, Muslim League,
31 Norton Folgate, London, E1

¹No. 334, Vol. II, 635.

54

M. A. Jinnah to Shah Mohammad Hasan

F. 886/253

7 July 1947

Dear Sir,

I am in receipt of your letter of 5th July,¹ and I thank you for your kind thought in sending me a box of mangoes, but I appreciate more your enthusiastic support for Pakistan and your goodwill for the Muslim League.

Yours faithfully,
M. A. JINNAH

Mr. Shah Moh[amma]d Hasan,
P.O. Bahat,
Dist[ri]ct Saharanpur

¹Not available in QAP.

55

M. A. Jinnah to Uttam Prakash Bansal

F. 85/10

7 July 1947

Dear Sir,

I have received your letter of 6th July¹ and beg to inform you that I am inclined to sell my house, No. 10 Aurangzeb Road, New Delhi, provided I get my price. Since you say that you can get me a handsome price please let me know what you are prepared to offer.

Yours faithfully,
M. A. JINNAH

Uttam Prakash Bansal, Esq.,
Contractor and Estate Agent,
Chawri Bazar,
Delhi

¹No. 45.

56

Louis Mountbatten to M. A. Jinnah

F. 2/195

THE VICEROY'S HOUSE, NEW DELHI,
7 July 1947

Dear Mr. Jinnah,

Thank you for your letter of 7th July.¹ I have sent your second telegram to the Secretary of State and have asked him to communicate it to the Prime Minister and also to the Leader of the Opposition.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 52.

57

Louis Mountbatten to M. A. Jinnah

F. 2/184-5

THE VICEROY'S HOUSE, NEW DELHI,
7 July 1947

Dear Mr. Jinnah,

With reference to our conversation about the appointment of Governors in the Pakistan Provinces, I shall be grateful for your confirmation that you wish me to submit the following names to The King.

Province

Nominee

West Punjab

Sir Francis Mudie¹

Frontier Province

Sir George Cunningham²

Baluchistan

Lt. Col. H. M. Poulton³

East Bengal

1st choice—Lord Killearn⁴

2nd choice—Sir Arthur Lothian⁵

3rd choice—Gen. Sir William Slim⁶

I should be grateful if you could definitely give me the name of the new Governor of Sind to submit at the same time.

As regards Lt. Col. H. M. Poulton, whom I have only met occasionally, I have been into [sic] his qualifications and am assured by those who know him that he is not in the same class as the present Agent-General,

Prior. He has neither his strength of character nor his mental calibre, and it is doubted whether he would really do the job adequately for you.

If you wish to go through the whole list of British officers who have enough knowledge of tribal work to be qualified for this post, may I suggest that you ask my Political Adviser, Sir Conrad Corfield, to come and see you and discuss the matter? He is preparing a list of suitable names and will be able to advise you quite impartially. I need hardly say that if in spite of this you still want Lt. Col. Poulton, you are of course at liberty to offer the position to him.

Would you like me to telegraph privately to Lord Killearn to find out whether he would be prepared to accept the Governorship of East Bengal and Sylhet, if it were offered to him? I would be glad to invite him to come and visit me in Delhi, as he is an old friend, if you would like to have the opportunity of talking the matter over with him; but I think he should be warned what the proposal is in the first instance.

Finally, I must remind you that I warned you that Sir William Slim might not be available for this appointment.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Governor of Sind, 1946-47.

²Governor of NWFP, 1937-46.

³Resident for Central India, 1946.

⁴Special Commissioner in South-East Asia, 1946.

⁵Resident for Hyderabad, 1942-46.

⁶Commandant, Imperial Defence College, 1946-47.

58

Louis Mountbatten to Liaquat Ali Khan

F. 2/193

SECRET

No. 1446/16

THE VICEROY'S HOUSE, NEW DELHI,

7 July 1947

Thank you for your letter of the 4th July¹ informing me that the All India Muslim League recommend to His Majesty The King the appointment of Mr. Jinnah as Governor-General of Pakistan.

I am grateful to you for what you say in the second paragraph of your letter, but I must make it clear that I have not yet made up my mind on the matter.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 25.

59

*H. M. Patel to M. A. Jinnah**F. 1/179*

SECRET

No. P.O.-14/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,

7 July 1947

The undersigned is directed to circulate to the Members of the Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council¹ held on Saturday, the 5th July, 1947.

H. M. PATEL

¹For agenda and papers for discussion, see Nos. 33 and 33A.*Enclosure to No. 59**F. 1/180-7*

SECRET

MEETING OF THE PARTITION COUNCIL
HELD ON SATURDAY, THE 5TH JULY 1947, AT 10 A. M.

PRESENT

His Excellency the Viceroy

Mr. Mohammad Ali Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad

The Hon'ble the Defence Member

His Excellency the Commander-in-Chief (items—1, 2 and 3 only)

The Chief of the Viceroy's Staff

The Principal Secretary to His Excellency the Viceroy

Mr. H. M. Patel

Mr. Mohamad Ali

Mr. Osman Ali

Brigadier [J.G.] Elliott

CASE NO. PC/18/3/47

NOTE BY HIS EXCELLENCY THE VICEROY¹ REGARDING THE
TEMPORARY EMPLOYMENT OF BRITISH OFFICERS AND OTHER
RANKS WITH THE NEW DOMINION AFTER 15TH AUGUST, 1947

His Excellency explained that partition involved a radical change of

policy. The services of many officers who had been expecting to be released from the Armed Forces would now be required for a further period resulting in considerable dislocation in the private affairs of those who agreed to stay on. The Prime Minister had set up a special committee in the U. K. to consider the problem. Other Dominions, faced in the past with a similar situation, had seen fit to offer reasonable inducement to officers to stay to help them. The problem was to strike a balance; terms should be sufficiently attractive without containing anything repugnant to either of the two new Dominions.

Annexure para 2 (b). Period of service²

It was suggested that certain officers might be needed to remain on longer than one year and it was felt that the prospect of longer service would be an inducement to volunteer[s].

It was agreed³ that the Steering Committee should amplify this para in the following sense:

The contract would be extensible by another year on the same terms at the option of either Dominion Government.

Annexure para 2(d). Pension

A query was raised as to whether there was justification for allowing extended service to count for pension in the case of officers whose compensation had been already increased by the fixation of the determining date at 15th August, 1947, instead of June 1948. It was pointed out that the financial effect would be inconsiderable and that, psychologically, the offer was justified.

Annexure para 2(e). Compensation

An assurance was given that liability for paying compensation, as between H.M.G. and the two Dominion Governments, would be as originally agreed, and would not be affected by the new situation.

The Commander-in-Chief explained that under original plans the army would have been reduced to 230,000 by June 1948. Consequent on partition demobilization had been to all intents and purposes halted, and the strength on 1 April 1948 would now be over 400,000. This increase, coupled with the fact that the overheads in staffs and establishments were inevitably heavier for two armies than for one, were the basic factors which involved the retention of extra British officers. The importance of speed in reconstituting the armed forces of both Dominions in their final form was appreciated, but the reconstitution into two armies was a very difficult problem and it was unwise to complicate it further by attempting demobilization on any large scale while it was still in progress. Minor reductions could and would be effected, and plans for reorganisation could be got ready to be put into operation

after 1 April 1948. An assurance was given that any extra British officers who had to be retained would be released progressively after 15th August 1947, and that no one would be kept unless his services were essential.

A rough estimate put the increased expenditure for both Dominions at Rs. 30 crore, of which the cost of any extra British officers was a relatively small fraction.

Annexure para 2(f). [Leave]

An assurance was given that the grant of leave would be restricted to those whose previous leave record justified it, and to cases where an officer could show reasonable grounds for asking for leave as a condition of volunteering to serve on.

Annexure para 2 (g). Promotion

It was explained that this was a minor concession which would in no way affect adversely the promotion of any Indian officer.

Annexure para 2(h). [Passage home on termination of extended service]

It was explained that officers with credit balances remaining in their Lee Concession accounts would pay for their passages from such credits, and that this Concession was designed to attract a small number of senior officers whose Lee Concession accounts were exhausted.

Annexure para 3. [Re: Regular officers of the Royal Navy, British Army and Royal Air Force]

It was explained that with the exception of a few staff officers, the bulk of the British Service officers to be retained would be from the scientific and technical corps R[oyal] A[rtilery], M[ilitary] E[ngineers], R[oyal] Signals, R[oyal] E[lectrical] M[echanical] E[ngineers], whose replacement was a literal impossibility owing to the grave shortage of trained Indian officers.

Annexure para 3(b). Pay and allowances

It was explained that the essential concession was the grant of the Indian service allowance, at present restricted to those serving with Indian Units, to everyone, so as to place British and Indian Army officers on equal terms.

Annexure para 3(d). Leave

It was agreed that this should be amended by adding "All journeys will be made by air".

Annexure para 4. [Re: Ratings and Other Ranks of the Royal Navy, British Army and Royal Air Force]

It was pointed out that the incidence of British income tax on the incomes at the level of British other ranks was so small that the concession offered in this para was so small as to be unlikely to induce men to serve on.

It was agreed that the Steering Committee (in consultation, if necessary, with the Armed Forces Reconstitution Committee) should as a matter of urgency, consider what further reasonable concession could

be offered to this category. A rough forecast of the cost of their proposals should be circulated for the agreement of the Partition Council.

DECISION

It was agreed that subject to the amendments noted above the annexure should now be issued as a general announcement. It was further agreed that His Excellency should, at his discretion, be empowered to appeal to British officers to volunteer their services, and that the names of the Hon'ble Pandit Jawaharlal Nehru and Mr. M. A. Jinnah might be linked with this appeal. His Excellency undertook to show the two leaders the text of this appeal before he made it.

CASE NO. PC/19/3/47

ADDITION OF FINANCE OFFICERS TO THE THREE ARMED FORCES SUB-COMMITTEES

The recommendation of the Steering Committee⁴ was approved.

CASE NO. PC/20/3/47

THE POSITION OF R.I.A.F. OFFICERS

The Hon'ble Member for Defence pointed out that under the terms of para 5 of the note by His Excellency the Viceroy on the Partition of the Armed Forces, as modified by the meeting of the Partition Council on 30 June⁵ those now serving, who did not wish to continue in the service of either dominion have the option to resign. In view of the very attractive terms being offered by civil air lines to officers and men of the R.I.A.F. and particularly to pilots—there was a danger that a large number might take advantage of this option to go, thereby seriously affecting the efficiency of the R.I.A.F. It was pointed out in discussion that every Government must be prepared to lose pilots in this way, to its ultimate advantage by the creation of a reserve and the constitution of efficient civil air services. In the circumstances there would be grounds for pointing out to R.I.A.F. officers the advantages of remaining in the service.

It was agreed that the questionnaire to ascertain the wishes of R.I.A.F. officers should go to that service as a matter of priority so that forecast of the position would be known as early as possible and in any case well before 15th August. Once officers had opted to remain they would do so on existing terms of service and it would be open to either Dominion then to release them only with due regard to the interests of the service. If any large exodus was nevertheless threatened, the two Governments might find it necessary to take suitable steps to make employment of ex-R.I.A.F. pilots by private companies subject to the approval of the Government.

be offered to this category. A rough forecast of the cost of their proposals should be circulated for the agreement of the Partition Council.

DECISION

It was agreed that subject to the amendments noted above the annexure should now be issued as a general announcement. It was further agreed that His Excellency should, at his discretion, be empowered to appeal to British officers to volunteer their services, and that the names of the Hon'ble Pandit Jawaharlal Nehru and Mr. M. A. Jinnah might be linked with this appeal. His Excellency undertook to show the two leaders the text of this appeal before he made it.

CASE NO. PC/19/3/47

ADDITION OF FINANCE OFFICERS TO THE THREE ARMED FORCES SUB-COMMITTEES

The recommendation of the Steering Committee⁴ was approved.

CASE NO. PC/20/3/47

THE POSITION OF R.I.A.F. OFFICERS

The Hon'ble Member for Defence pointed out that under the terms of para 5 of the note by His Excellency the Viceroy on the Partition of the Armed Forces, as modified by the meeting of the Partition Council on 30 June⁵ those now serving, who did not wish to continue in the service of either dominion have the option to resign. In view of the very attractive terms being offered by civil air lines to officers and men of the R.I.A.F. and particularly to pilots—there was a danger that a large number might take advantage of this option to go, thereby seriously affecting the efficiency of the R.I.A.F. It was pointed out in discussion that every Government must be prepared to lose pilots in this way, to its ultimate advantage by the creation of a reserve and the constitution of efficient civil air services. In the circumstances there would be grounds for pointing out to R.I.A.F. officers the advantages of remaining in the service.

It was agreed that the questionnaire to ascertain the wishes of R.I.A.F. officers should go to that service as a matter of priority so that forecast of the position would be known as early as possible and in any case well before 15th August. Once officers had opted to remain they would do so on existing terms of service and it would be open to either Dominion then to release them only with due regard to the interests of the service. If any large exodus was nevertheless threatened, the two Governments might find it necessary to take suitable steps to make employment of ex-R.I.A.F. pilots by private companies subject to the approval of the Government.

CASE NO. PC/21/3/47
RECOMMENDATIONS OF THE STEERING COMMITTEE ON REPORT
OF EXPERT COMMITTEE NO. VIII ON DOMICILE⁶

The Council approved the recommendations of the Steering Committee contained in paragraphs 2 and 3 of their note.

CASE NO. PC/22/3/47
ARRANGEMENTS REGARDING PETROL RATIONING⁷ FOR THE
QUARTER BEGINNING AUGUST 1ST, 1947—REPORT OF EXPERT
COMMITTEE NO. VI FOR APPROVAL

Mr. Liaquat Ali Khan said that large quantities of petrol were required in connection with building projects of the Pakistan Central Government at Karachi and it had been estimated that the requirements on this account during July and August would be not less than 60,000 gallons. It was not certain whether the additional 6½% allotment which it was proposed to give to Sind would cover its increased needs. It was pointed out that if this allotment was found insufficient, application could be made in due course to increase it.

The Council approved the proposals⁸ made in paragraph 1 of the report of Expert Committee No. VI.

CASE NO. PC/23/3/47
THE FEDERAL COURT⁹

The Council approved the recommendations (i) to (iv) in the note of the Steering Committee.

CASE NO. PC/24/3/47
THE HIGH COURTS OF BENGAL AND THE PUNJAB¹⁰

Mr. H. M. Patel said that in view of the claim of both parties to Lahore, recommendation (v) in the note of the Steering Committee might be reworded to read "both the East and West Punjab High Courts should have their seat at Lahore and function in the buildings at present occupied by the Lahore High Court. This temporary arrangement should cease on 1.3.48".

Mr. Liaquat Ali Khan pointed out that the position of Calcutta was identical with that of Lahore and the paragraph in the Steering Committee's note relating to the Calcutta High Court should also be suitably reworded.

The Council approved the recommendations contained in paragraphs 1 and 2 of the Steering Committee's note subject to recommendation (v) in paragraph 1 and paragraph 2 being reworded as follows:

Para 1(v). Both the East and West Punjab High Courts should have their seat at Lahore and function in the buildings at present occupied by the Lahore High Court. This temporary arrangement should cease by 1.3.48.

Para 2. The above procedure should be followed in all its details in respect of the division of the Calcutta High Court also. The East and West Bengal High Courts should have their seat at Calcutta and function in the buildings at present occupied by the Calcutta High Court. This temporary arrangement should cease by 1.3.48. Appointments for the new High Court of East Bengal should, as for existing High Courts, be made under Section 220 of the Government of India Act, 1935, by His Majesty after consulting the Central Government of the Dominion of Pakistan.

CASE NO. PC/25/3/47

COMPOSITION OF ARBITRAL TRIBUNAL¹¹

His Excellency said he had discussed with Sir Patrick Spens the question of appointing the Federal Court as Arbitral Tribunal. Sir Patrick's view was that it would be most improper to appoint the Federal Court as such for this purpose. There was no objection, however, to one or more judges of the Federal Court being appointed to the Tribunal. His Excellency suggested that if both parties agreed Sir Patrick should be appointed Chairman of the Arbitral Tribunal. He would do his best to persuade Sir Patrick to accept the Chairmanship but it was certain that on completion of the work, he would ask to be relieved of his post of Chief Justice of the Federal Court. As regards the other members of the Tribunal, he suggested that the two parties should separately nominate, in consultation with Sir Patrick, one judge each to serve on the Tribunal. The leaders of the two parties would doubtless appreciate the desirability of nominating men who were of the highest integrity and free from any party bias. As had already been agreed upon between the parties, the Arbitral Tribunal constituted as above would deal with questions arising out of the partition of the Punjab and Bengal as well as at the Centre.

The Council approved His Excellency's proposals.

¹Enclosure to No. 33.

²Para 2 dealt with British Regular Officers of the Indian Armed Forces who were asked if they wished to serve for a period of one year with three months notice on either side for termination of service. See Annexure to Note by the Viceroy, F. 1/125, QAP. Not printed.

³Underlined here and subsequently in the original.

⁴For recommendations of the Steering Committee, see No. 33, note 2.

⁵No. 7.

⁶No. 33A, note 1.

⁷No. 33, note 4.

⁸The proposal related to actual allotment for the "last quarter plus an additional 6%" for Pakistan and to allocation of the reserve held by oil companies in proportion to the consumption in the last quarter in Pakistan areas. See F. 1/130, QAP.

⁹See Enclosure 1 to No. 33A.

¹⁰See Enclosure 2 to No. 33A.

¹¹See Enclosure to No. 6, case No. PC/4/1/47.

60

Secretary of State for India¹ to British Minister² at Kabul

Telegram, F. 10/134

IMPORTANT/SECRET

O.T.P. No. 8390/60 FORMINKA

7 July 1947

Received: 8 July 1947

Government of India telegram No. 5139 of 2nd July.³ Afghanistan and N.W.F.P.

2. In the absence of Afghan Minister in Paris Charge d'Affaires was asked to call at Foreign Office on 4th July and was handed an *aide-memoire* on the lines of para 3 of Forminka 56.⁴

3. Charge d'Affaires was told that in addition to considerations set out in *aide-memoire*, there were over-riding economic and strategic considerations, which make it essential that N.W.F.P. should remain within one of the two States into which India would divide; H.M.'s Government trusted therefore that in the interests of Afghanistan as well as of India the Afghan Government would do nothing to complicate or hinder the efforts of H.M.G. to put through peacefully and successfully the constitutional changes in India on which whole peace and prosperity of Central Asia must depend. H.M.G. hoped that King of Afghanistan's speech of 30th May continued to represent basis of Afghan policy.

4. Mr. Kayoum made no comment on *aide-memoire* but reiterated desire of Afghan Government that N.W.F.P. should have the choice not only of joining Pakistan or Hindustan but also of becoming part of Afghanistan or alternatively an independent State. He was reminded that H.M.G.'s attitude was based on view that Anglo-Afghan Treaty of 1921⁵ remained valid on transfer of power to two Indias. The Charge d'Affaires was asked to confirm that his Government would be at one with H.M.G. in wishing that nothing should be done which might disturb the peace in this region and Mr. Kayoum agreed that this was so.

5. Mr. Kayoum added that his Minister would be returning from Paris next Monday or Tuesday and would probably wish to call once more on Secretary of State or on Sir Orme Sargent.⁶

6. Government of India please pass copy to United Kingdom High Commissioner.

¹Telegram repeated to Governor-General (External Affairs and Commonwealth Relations Department) New Delhi, and British Ambassador at Washington.

²Giles Squire, 1943-7.

³The Government of India informed the Secretary of State of its consent to the proposed reply to the Afghan Foreign Minister. See No. 453, note 5, *TP*, XI, 821.

¹Annex I.

²The Treaty reaffirmed the Indo-Afghan frontier previously agreed to between the two countries and provided for establishment of legations and consular offices on reciprocal basis, for regulation of trade, customs and postal arrangements; and for prior notification of major military operations close to their common borders.

³Permanent Under-Secretary of State for Foreign Affairs.

Annex I to No. 60
Secretary of State for India to British Minister at Kabul
Telegram, L/P&S/12/1811
[Extract]¹

IMMEDIATE

No. 56

INDIA OFFICE,
1 July 1947, 11.15 p.m.

2. Subject to views of Government of India, H.M.G. are disposed to return reply to Afghan Minister's Note (Forminka 52)² to following effect on their own behalf, and trust that Government of India will agree to reply in similar terms being returned to Afghan Foreign Minister in Kabul as representing views of both Governments. H.M.G. are anxious, if possible to make this reply before referendum in North-West Frontier Province begins on 6th July. The matter is therefore very urgent.

3. a. H.M.G. have given full and sympathetic consideration to the representations made by the Afghan Minister. They are bound to point out, however, that these representations relate to an area which forms an integral part of India and is recognised as such by the Afghan Government in the Anglo-Afghan Treaty of 1921.
- b. The statement of policy in regard to India made by H.M.G. on 3rd June³ was issued with the assent of the leaders of the principal political parties in India and has since been endorsed by responsible Indian opinion. This declaration sets out the procedure which it has been decided after full consultation with all interests concerned to adopt in order to bring about the transfer of power in India in orderly fashion from British to Indian hands and to fulfil H.M.G.'s pledges to the Indian people.
- c. While therefore H.M.G. readily appreciate the friendly interest which the Afghan Government naturally feel in the future constitutional structure of the territories on their southern frontier and the feelings of kinship arising from ties of blood and religious affinity which the Afghan people share with many of the inhabitants of those territories, they cannot admit the right of any foreign

government to intervene in matters which are the sole concern of the inhabitants of the territories in question.

d. Indeed H.M.G. would regard as incompatible with the undertakings exchanged by the British and Afghan Governments in Article I of the Treaty of 1921 (by which they mutually "certify and respect each with regard to the other all rights of internal and external independence") any attempt by the Afghan Government to intervene in the internal affairs of any territory situated on the Indian side of the Anglo-Afghan frontier mutually accepted by the two contracting parties in Article II of the Treaty and as defined in the map⁴ attached thereto.

[Paras 4 & 5 omitted]

¹No. 453, TP, XI, 820-1.

²Annex II.

³No. 1, Vol. II, 1-6.

⁴Not printed.

Annex II to No. 60

Secretary of State for India to British Minister at Kabul

Telegram, L/P&S/12/1811

[Extract]¹

IMPORTANT/CONFIDENTIAL

No. 52

INDIA OFFICE,

20 June 1947, 1 a.m.

Following is gist of Afghan note dated June 13th. Copies follow by bag.

2. Note refers to your discussions with Afghan Foreign Minister over the period 1944 to 1946 concerning frontier questions (please see correspondence ending with your demi-official letter to Weightman² No. F. 706/44 of March 15th 1946).³ Afghan Minister also refers to a subsequent exchange of notes with the Foreign Office, in which H.M.G. were invited to study questions which had been raised in Kabul. He expresses his Government's regret at the reply received from the Foreign Office, which was to the effect that these questions would have to be studied in full consultation with the Government of India and that it was not opportune at that time to embark on such consultation.

3. The Afghan Minister has been instructed to draw the particular attention of H.M.G. to the question of the North-West Frontier Province. This is described as lying between Afghanistan and India proper; it is said to be a land which has for centuries been principally inhabited by

Afghans and to have been annexed by Great Britain to India during the Anglo-Afghan wars of last century.⁴ The annexation of this Afghan territory is described as an arbitrary dismemberment of Afghanistan, and the connexion between the Afghans and the North-West Frontier Province and the people of India can never be considered anything but an artificial one. The Afghan Government has consistently made it clear over the last ten years that in the event of any change in India the future of the millions of Afghans and their lands must not be neglected. In view moreover of the change in the status of India the obligations created by the Anglo-Afghan treaties in respect of these territories will in future no longer be regarded as binding.

4. The Afghan Government consider that as the future of India is now being settled it is opportune to consider the problem of the future of the North-West Frontier Province, and its population. They do not think that this matter should depend on the future Government or Governments of India. Note goes on to say that the Afghan Government consider that the referendum which is being arranged for the North-West Frontier Province is not compatible with justice, as it debars the Province from choosing either to form a separate free State or to rejoin its motherland Afghanistan.

5. In conclusion the Afghan Minister asks for an early reply and states that the Afghan Government cannot be indifferent to any decision which is contrary to justice and to the freedom of the Afghans of the North-West Frontier Province and that they will be obliged to consider the interests of this large Afghan community.

[Para 6 omitted]

¹No. 272, TP, XI, 526-7.

²Hugh Weightman, Secretary, External Affairs Department, Government of India, 1946-47.

³Not available in QAP.

⁴The Anglo-Afghan wars were fought during 1838-42 and 1878-81.

61

D. S. Sadula Khan to Yousaf A. Haroon

F. 576/36-9

DASADA, DUBARGADH, [KATHIAWAR],

7 July 1947

Pakistan Zindabad

Dear Sir,

On the lapse of paramountcy and the attachment scheme we will be

free to join with [sic] any state or union. We *Talukdars* of Dasada, Vanod and Jainabad, and Chief of Bajuna and H. H. the Nawab of Radhanpur, all are thinking about our future, but our States are close to each other and Radhanpur is very near or close to Sind. It will be very good to join with the Pakistan Union, so please start discussion for final terms and conditions according to 16th May Scheme,¹ for native states joining with any Union but here only Pakistan. The Pakistan territory will extend up to Viramgum by our union and will be very advantageous to all of us. All the five States of Radhanpur, Dasada, Vanod, Bajuna, Jainabad will be over [sic] surplus in the matter of foodstuff and [are] very reputed for cotton, wool, horse-breeding and cattle-rearing, and has ample scope for cotton industry and will be very useful for future Sind-Bombay Railway as 100 or more miles [of] territory will come between the proposed Project. So please start at once official discussions [with] all the five Muslim States and arrange for future terms and conditions. Please appoint [a] special official for this matter at once so that everything can be settled on [sic for by] the 15th August, on the lapse of paramountcy. Send Sind Muslim League deputation or Pakistan deputation at once. It will be a boon for Kathiawar Muslims as Pakistan will extend up to Viramgum, a very useful territory. Hoping an early reply and action without least delay. Please kindly [sic] inform Quaid-i-Azam, Liaquat Ali Khan, Sind Premier and Mr. Gazdar² about this matter and reply and arrange soon about deputation before 1st August 1947.

Yours sincerely,
SADULA KHAN

¹Cabinet Mission Plan. See Appendix III. 1, Vol. I, Part II, 32-42. Also see Appendix X, *ibid.*, 479-81.

²Hashim Gazdar, ML leader.

62

Zafrullah Khan to M. A. Jinnah

F. 358/10-1

SAVOY HOTEL, STRAND, LONDON, W.C.2,
7 July 1947

Dear Mr. Jinnah,

I trust you have already received and cabled a reply to my letter of the 5th.¹ Mr. Slade has since informed me that having looked into his engagements he could only be in India for Sept[ember] and Oct[ober]

and possibly for the first week or ten days of Nov[ember]. It seems to me the best arrangement would be to secure Mr. Upjohn and Mr. Sparrow though Mr. Upjohn's fee is rather high and Mr. Sparrow, if he came, could not stay beyond Sept[ember] or the middle of Oct[ober]. The Assembly should set up committees quickly and the work should be pushed forward so that the main structure is finished by the end of Oct[ober]. On further drafting, which may have to be done, perhaps Mr. Sparrow could help from London.

There are two other matters to which I would venture to draw your attention. Pakistan will need a suitable building in London to house its offices here. At present there is only India House. But the building of India Office² in Whitehall also belongs to India. In the division of assets Hindustan could be given the choice of taking India Office or India House, so as to make the other available to Pakistan (subject of course to an adjustment of values). It would be almost impossible and prohibitive to acquire any other suitable building. This should be looked after immediately, as India Office will become available from 15th August.

The second matter is that of the official name of the Pakistan Dominion. Pakistan would have been most suitable *vis-a-vis* Hindustan, but may be confusing to the foreigner *vis-a-vis* India. Also it has connoted an *ideal* rather than any territory. Why not adopt for it the *official* designation of "Muslim India" which would emphasise the fact that whatever the Congress may choose to call the rest of India, it is in fact Hindu India? Or, you may prefer West India and East India for the two parts of Pakistan and the Union of East and West India for the whole. From the international point of view the matter merits your consideration.

Yours sincerely,
ZAFRULLAH KHAN

¹No. 37.

²Underlined here and subsequently in the original.

63

Viceroy to Secretary of State
(Copy to M. A. Jinnah)

Telegram, F. 2/204

SECRET/IMPORTANT

8 July 1947

No. 1849-S

Your telegram No. 8631 para 3.¹ I have discussed this personally with Mr. Jinnah who authorises me to say that the future Pakistan

Government will consider itself as successor of all applicable treaty rights and obligations and concurs in view that Afghan representations relate to an area which forms an integral part of India and will in future form part of Pakistan and is recognised as such by Afghan Government in Anglo-Afghan Treaty of 1921 which must be honoured by both sides.

2. I have dictated this telegram in Mr. Jinnah's presence and am supplying him with a copy of it.

¹Appendix IV.18.

64

Anonym¹ to Liddell²

F. 4/44-6

SECRET/PERSONAL

PUNJAB CLUB, LAHORE,
8 July 1947

My dear Liddell,

I have received your letter No. 5.F.205/India/5/DOG dated the 18th June 1947.³

It is now settled about Pakistan but otherwise the situation is extremely fluid. Pakistan's final shape has not yet been decided, and the forms its Governments will take are indistinct. It is a foregone conclusion that Jinnah will be something like a dictator, and that a chosen band will have power. But just what position each one will hold is yet to be decided. In the circumstances, the time has not come yet to make an approach or to sound the right person, for it cannot be said yet who they are going to be.

I think the Liaison Officer line [between the intelligence agencies of U.K. and Pakistan] is the right one to go on. I do not say it is the best, but Ahmad⁴ knows it is the arrangement which found favour when relevant matters were being discussed in Delhi. Ahmad is going to be of some importance in Pakistan and he might be curious if there was a departure from earlier ideas. It might be harmful if this happened.

It is possible that the Boundary Commission will make the Muslims rather more disgruntled than they are now.⁵ Even if this should happen, I think that they will welcome the help a link-up with British Security would afford them. I do not think I would find it difficult to raise the issue when the right time comes or perhaps, as an alternative, suggest who

should do so. I am half inclined already to stay on in India for a month or two and see how things are going. If it will help you, I will decide to do so. Will you please let me know—and also if you can arrange a quick means of communications between us? I believe that there is somebody in Lahore as the High Commissioner's Representative. Could he be a channel for signals between us?

I have not brought Bennet⁶ into this matter because it would not serve a useful purpose to do so. He is definitely P.N.G. [*persona non grata*] with the Muslims and I fear they would look with suspicion and antagonism on anything with which he was connected. At some stage, however, I would like to discuss the whole business with the Governor, if I have your sanction to do so.

I am interested in Pakistan and I think you will remember that I discussed certain possibilities with you when you were in Lahore. The thoughts I had then have gone, of course, with Dominion Status. However, I still have a feeling that this part of the world is going to be interesting, if nothing more. In the circumstances, I would consider an offer if one were made to me. At the same time and in this connexion it would be futile for me to think of staying out here if I was not going to be welcomed by Pakistan. I have friends among the League leaders and some of them have urged me not to go. Recently, however, I have been the head of a new control dealing with the disordered situation and I have been hitting out pretty hard. This has been resented by the Muslims and Mamdot has recently withdrawn his cooperation in important matters on this score,⁷ while I have been the recipient of many more threats than tokens of friendship. At the same time I am still being sounded as to whether I would be prepared to take the post of Pakistan's Director of Intelligence which suggests that I am not on the black list. However this point about personal suitability is another one which will be clearer in the very near future.

To sum up I think:

1. the Liaison line is the best to pursue;
2. the chances of such a suggestion being welcomed are good. The time to put it forward in the way desired has not come yet, but will come soon;
3. I ought to be able to raise the issue or suggest how it should be raised;
4. I can stay on in India for a month or two for this purpose;
5. I am prepared to consider an offer but it is going to serve no useful purpose to try and force me on Pakistan if Pakistan does not want me; and
6. a quick means of communication is very necessary.

It is most unpleasant here and the heat is dreadful. Yesterday the maximum was 115° and the minimum 92°. I cannot describe what it is like and trying to work in it is hell. The trouble is that there is so much that just has to be done if any semblance of peace is to be maintained.

I am glad Morton⁸ and Ray⁹ [are] doing so well. Savage¹⁰ will be available before long now and I am confident that you will find him equally satisfactory.

If you can, please signal me your reply to this. It will take time and there is not very much of it left now.

Yours sincerely,
[W. N. P. JENKIN]

[PS.] I have destroyed your letter to me and I have not kept a copy of this one.

¹William Jenkin, Deputy Inspector-General, C.I.D., Punjab, 1947. According to Dabir Hussain Zaidi, Sub-Inspector of Police, Punjab C.I.D., who had worked under G. R. Savage, Superintendent of Police, C.I.D., he was called by Jenkin on 8 July 1947. Jenkin handed him a sealed cover addressed to George Abell, Private Secretary to the Viceroy for delivery at Viceroy's House, New Delhi. On coming out of the Punjab Civil Secretariat he went to a restaurant on the Mall Road where Mumtaz Shah Nawaz accidentally arrived. The sealed top secret envelope attracted her attention. After discussion, the envelope was carefully opened. It contained another envelope with a letter addressed to Liddell of British Secret Service, London. In view of the importance of the subject matter a photograph of the same was made, which was delivered by Mumtaz Shah Nawaz to Quaid-i-Azam. After properly sealing the envelopes, Dabir Zaidi went to New Delhi and handed them over to George Abell. On 4 September 1947, the facsimile of Jenkin's letter written in his own hand, to Liddell was published in the *Pakistan Times*. Also see *Urdu Digest*, Lahore, April, 1976, 29-32 and Annexes I and II.

²Guy Liddell, a British Secret Service executive of the Counter Espionage Department.

³Not available in QAP.

⁴Probably G. Ahmad who was then serving in the Intelligence Bureau, Government of India, where Jenkin had also served as Deputy Director.

⁵Underlined probably by Jinnah.

⁶Sir John Bennet, I.G. Police, Punjab, 1947.

⁷Mamdoot wrote in his D.O. to Evan Jenkins: "I understand that a Special Staff has been brought into existence under the immediate supervision of the D.I.G. (CID) in the Mental Hospital, Lahore. In this Special Staff there is a huge preponderance of non-Muslim personnel, who are, according to my information, using the cruellest methods of torture to extort false statements from the Mussalmans who are arrested and taken there". See No. 455, TP, XI, 823.

⁸Kenneth Morton, Secretary, Electricity and Industries Departments, Punjab, 1946-47.

⁹Reginald Ray of the Indian Police, Deputy Inspector-General, Intelligence Branch, Bengal, 1937-43 and Commissioner of Police, Calcutta, 1943-46.

¹⁰Gerald Savage, S.P., C.I.D., Punjab, Lahore, 1946-47.

Annex I to No. 64

BRITISH CONSPIRACY AGAINST PAKISTAN¹

Secret Service Agents Active in Creating Fifth Column

"I have secured a secret letter addressed by Mr. W. N. P. Jenkin, DIG,

CID, Punjab, to a secret service address in London", writes our Special Correspondent in London, "which throws a flood of light on British Plans to organise a fifth column in Pakistan". The document reveals that the Boundary Commission award was anticipated to make the Muslims "disgruntled" long before it was announced and that plans were being made to entangle Pakistan in the British security system.

The document also reveals that the Punjab Police official was trying to contact people to organise a secret service in Pakistan and these plots were being conducted under highest degree of secrecy.

Mr. Jenkin in his letter to Mr. Liddell says, "I would like to discuss the whole business with the Governor (Sir Evan Jenkins), if I have your sanction to do so. I have been the head of a new control dealing with the disordered situation and I have been hitting hard. This has been resented by Muslims", continued Mr. Jenkin.

¹The *Pakistan Times*, 4 September 1947. The paper also wrote an editorial (Annex II) and published the facsimile of Jenkin's letter.

Annex II to No. 64

SPY-RING?¹

The Quaid-i-Azam, in his broadcast the other day, characterised the Boundary Commission Award as "unjust, incomprehensible and even perverse". We have secured evidence which indicates that the Boundary Commission Award is but a part of the conspiracy which the British have been maturing against Pakistan and that other saboteurs besides Sir Cyril Radcliffe have been at work to sabotage our State. We always had excellent reasons to think that high British officials in the land were not playing the game with our people and our leaders, and the misdeeds of Sir Evan Jenkins are too well known to deserve comment. The sensational data we have since discovered fully bears out the contention of the Quaid-i-Azam and confirms us in the belief that we owe not a few of our present troubles and might owe many of our future ones, to secret and underhand machinations of our erstwhile oppressors. It appears that even at the moment when the British were negotiating with our leaders to hand over power, British officials in the country were hatching plots in secret conclaves to organise spy-rings and fifth column organisations in our midst. The plots were so secret that even the British Governor of the Punjab was not admitted into the conspiracy of the conspirators. A correspondent has sent us the sensational document which we reproduce in this issue.² We are

unfortunately not fully aware of the background of this correspondence between the Punjab CID Chief and the British Secret Service, nor do we know what preceded or followed this despatch. It leaves no doubt, however, that there have been mysterious and unwholesome goings-on between British and Indian intelligence services, positively without the knowledge of our leaders—the prospective successors to power. It contains a number of significant revelations and suggests a number of obvious questions. What, for instance, was the purpose of “the approach” Mr. Jenkin talks about and what did he want to “sound the right persons” for? Who are or were these “right persons”? Who is this gentleman Ahmad who was going “to be of some importance in Pakistan”, and what sort of dealings did he have with Mr. Jenkin and his superiors in London? What liaison functions was he supposed to perform and in whose interest? How did Mr. Jenkin know when no one else did that the Boundary Commission Award was going to “leave the Muslims disgruntled”? Are we to suppose that the award, as we predicted before it was announced, had very little to do with the merits of the case, was predetermined and was deliberately unjust and undemocratic. Only an unjust award could have created the maximum hostility and unpleasantness between Hindustan and Pakistan and justice went against the Muslims merely because they were the weaker party of the two. Again what type of services did Mr. Jenkin propose to render in return for the offer he so insistently demands? And which Muslim Leaguers sounded this henchman of that arch-scoundrel of the same name, the erstwhile Governor, for an important post in Pakistan? He says he is staying on here for sometime and is anxious for a quick means of communications between himself and his addressee in London. We need hardly ask him what for. We have already pleaded ignorance regarding the detail and genesis of Mr. Jenkin’s witchcraft but the only interpretation we can put on this document is that he and his helpers are trying to organise a spy-ring in Pakistan under the wing of the British, behind the back of the Pakistan Government. We hope that both our Government and our people will be wary against such machinations particularly in view of the repeated betrayals we have experienced in recent days. The present massacres are just a part of the price the Pakistan and the Hindustan Governments have paid for trusting to British arrangements for the maintenance of peace and the peaceful transfer of power. Continued trust in and dependence on the British word might lead to heavier suffering in the future unless both Governments fully realise that the guarantee of peace and happiness for both the Muslim and the non-Muslim peoples, lies in their mutual trust and

friendship and not in looking up to the British for abetment [of] crime or relief in distress.

¹Editorial, the *Pakistan Times*, 4 September 1947.

²No. 64.

65

Cantonment Board, Lahore, to M. A. Jinnah

F. 757/169

REGISTERED
No. 4987/243/341

OFFICE OF THE CANTONMENT BOARD,
LAHORE CANT[ONMEN]T,
8 July 1947

NOTICE UNDER SECTION 68, CANT[ONMEN]TS ACT, 1924
Revision of Assessment under Section 72, Cant[onmen]ts Act,
1924

Dear Sir,

This is to inform you that it is proposed to revise the Assessment of the Bungalow No. 53, Lahore Cant[onmen]t from Rs. 3,600 to Rs. 8,400 per annum with effect from 1-4-1947.

2. Any objection which you may wish to put in against the above figures may please be made in writing within thirty days from the date of receipt of this communication and should state in what respect of [*sic*] the valuation or assessment is disputed.

Yours faithfully,
Executive Officer,
Lahore Cant[onmen]t

66

V. H. Coelho to M. A. Jinnah

F. 1/188

IMMEDIATE/SECRET
No. P.O.15/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
8 July 1947

The undersigned is directed to circulate for the information of Members of the Partition Council certain decisions of the Armed Forces

Reconstitution Committee regarding the allocation of Armoured Corps and Infantry Units as between the armies of India and Pakistan. It is proposed to release this information for general publication on Thursday¹ evening.

V. H. COELHO

¹10 July 1947. Also see Enclosure 2 to No. 87 for note of Rajendra Prasad on the subject and Enclosure to No.117 for approval by Partition Council (Case No. PC/34/4/47).

Enclosure to No. 66

F. 1/189-90

ARMED FORCES RECONSTITUTION COMMITTEE

At a meeting held on 3rd July 1947 the above committee accepted the following recommendations of the Army Sub-Committee¹ regarding the allocation of Infantry and Armoured Corps between the two dominions:

1. INFANTRY

Pakistan Infantry to be based on 1st, 8th, 14th, 15th and 16th Punjab Reg[imen]ts, Baluch Reg[imen]t, Frontier Force Reg[imen]t, Frontier Force Rifles.

Note: The 2nd Punjab Reg[imen]t with its regimental centre at Meerut, is to remain with the Union of India, as many Eastern PMs,² now serving with the forces, may be expected to elect to serve in the Union of India's Army.

Union of India Infantry to be based on 2nd Punjab Regiment, all Regiments other than those named above (less Gurkha Regiments who will be dealt with separately).

Notes: 1. The above division is in the numerical relation of 8:15 (excluding Gurkhas).

2. The decision provides for the least possible interchange of personnel between the two dominions based on the present composition of the regiments selected, and also takes into account existing location of regimental centres. Two Pakistan Centres will have to be moved from India and two Indian Centres will have to be moved from Pakistan.

3. The decision at this stage is limited to regiments and regimental centres only. Each is capable of supporting a number of battalions; any increase or reduction which may be found necessary, once the future needs of each dominion have been finally assessed, can conveniently be made on the above basis.

4. The decision was made on the unanimous recommendation of all members of the Army Sub-Committee.

2. ARMoured CORPS

Pakistan Armoured Corps to be based on 6 DCO¹ Lancers, 11 PAVO² Cavalry (Light Armoured Regiments); 5 Horse, 13 Lancers, 19 Lancers (Medium Armoured Regiments); Guides Cavalry (Heavy Armoured Regiment).

Union of India Armoured Corps to be based on the remaining 12 Regiments.

Notes: 1. The above distribution involves the minimum redistribution of personnel based on present class composition.

2. The Army Sub-Committee initially recommended that Pakistan should have five armoured regiments, being in doubt as to the inclusion of the sixth regiment, the Guides Cavalry, largely on account of additional technical difficulties involved in maintaining one heavy tank regiment. On reconsideration the Sub-Committee made a unanimous recommendation that the Guides Cavalry should be included in the Pakistan Army.

¹Not available in QAP.

²Punjabi Muslims.

³Duke of Connaught's Own Lancers.

⁴Prince Albert Victor's Own Cavalry.

67

M. A. Jinnah to Louis Mountbatten

F. 2/194

8 July 1947

Dear Lord Mountbatten,

With reference to the question as to who should take the chair at the meeting of the Joint Defence Council, which is to be set up according to the decision of the Partition Council dated 30th June,¹ I have considered your suggestion² and wish to state that if you decide to accept the Governor-Generalship of the "Dominion of India" and if your future Government will permit you to act as an independent and impartial Chairman of the Joint Defence Council, I would be glad to agree on behalf of the Dominion of Pakistan to your acting in this capacity.

Yours sincerely,
M. A. JINNAH

¹Enclosure to No. 7. Also see No. 416, para 7, TP, XI, 759.

²See No. 35.

68

Col. Shah Pasand Khan¹ to M. A. Jinnah

F. 896/69-71

LADHA, RAZMAK,
SOUTH WAZIRISTAN,
8 July 1947

Quaid-i-Azam M. A. Jinnah,
Assalaamo 'Alaikum

I am taking this opportunity to address you in connection with the political situation in Waziristan. I regret I could not do this before as I had been sending such informations to press only but fortunately a friend of mine (the humble typist), suggested to me to send all informations direct to you and copies to the press so as to keep you informed in all respects. Hope you will appreciate.

I need not, rather cannot, mention every bloody thing in this letter but would like to explain the matters of interest only.

Firstly, a few days ago, I heard of Abdul Ghani son of Khan Abdul Ghaffar Khan, the Frontier Gandhi, who came to see Faqir of Ipi in connection with the resolution passed at Bannu by the Congress in support of "Pathanistan".² Mr. Abdul Ghani passed the border of British territory to meet Faqir of Ipi. Government authorities supported this move.

Nobody actually knew why and what for the meeting was arranged by the Faqir and Mr. Ghani but the general rumour at the time spread was that Ghani was trying to persuade Ipi to co-operate with the Congress, as to help the cause of Pathanistan, and thereby letting him to maintain the sovereignty of Waziristan for Ipi himself. The tribal people, you might know, are illiterate and simple, and so Ipi's favour was so easily won over; no doubt, money also supported the game.

I myself investigated the matter and came to know that Faqir of Ipi was given 7 lakhs of rupees by Mr. Ghani to propagate for the "Pathanistan".

I reported the matter by telegram to *Dawn*. (A copy of the telegram is attached).³

Since that day I have been watching Faqir of Ipi's movements. The Faqir, one must confess, has the loudest voice in Waziristan, yet lower than that of God. Muslim League has got the heavenly power at its back whereas Congress has got capitalists' power, which carries no weight in comparison to the League. Faqir of Ipi tried many ways and

means to divert the tribesmen towards "Pathanistan" but *Allah* helps Islam always, and therefore none of his efforts proved successful. On the other hand he is losing his popularity day by day, due to our constant efforts to save Muslims from the clutches of Hindu Congressmen.

Secondly, in the 1st week of July the Faqir sent a deputation of *Mullahs* with sufficient money to tour over [*sic*] the whole of Waziristan and convey his message to all tribal people. His message runs as "We, the tribal people, do not want to join any party, whether Congress or League, but we will make Waziristan a free state. We will choose one man from amongst us as King for this state. We all will do our bit in making this state of Free Waziristan an ideal state even at the cost of our lives. Who should be the King of this state; that is a matter to be settled by us alone. We will be the makers and the masters of this state". Faqir of Ipi's deputation of *Mullahs* suggested on his behalf Khan Amanullah Khan, the former King of Afghanistan, or any other man from his family for the kingship in Waziristan, but this amounts to nothing more than a smokescreen as to mislead the tribesmen. Actually the Faqir himself desires to be the King of Waziristan.

Now what fate this deputation met at the hands of tribal people generally and Mahsud Tribe particularly, is a matter of great interest. This deputation was strongly opposed by the *Mullahs* of Mahsuds in South Waziristan at their very first meeting in Kaniguram. And next, the most popular *Mullah* in South Waziristan namely Shahzada, sent me a message to detain this deputation till such time when Mullah Shahzada himself could see them. I arranged for this meeting at a certain place (Torwom) and myself started off with a *Lashkar* of *Ghazis*. Meanwhile the deputation sent a message to Mullah Shahzada that they are coming to Latakka, Mullah Shahzada's village, to discuss things. Mullah Shahzada sent me another message stating that I should reach Latakka to see the deputation. But the deputation meant misguiding us by changing the place of meeting from Torwom to Latakka. They wanted to run away and they did it successfully. They judged the situation correctly and the very night they arranged a special truck and managed their way for their homes.

Thank God, Mullah Shahzada and I could not catch this deputation otherwise there would have been a great bloodshed among tribes. Faqir of Ipi has also received a similar note of disbelieve [*sic*] in him from another great Faqir of Shewa, and it is felt sure that Faqir is getting the same position in Waziristan as Frontier Gandhi and his whole family has got in [*sic*] other settled districts of the N.W.F.P.

I am leaving for Wana tomorrow by *Dak* [*sic*] to see Pir of Wana. I intend to convene all three Mahsuds' meetings there and warn them of the Faqir's intentions. I hope I will succeed.

And that is the latest situation of Waziristan political field. Further events, if any, will follow.

Pakistan Zindabad

Yours obediently,
MOOSA KHAN MARWAT
for COL. SHAH PASAND KHAN

[Note.] Draft approved by Col. Shah Pasand Khan, Muslim League.

Copies to:

The Manager, O.P.I., Delhi
The Editor, *Dawn*, Delhi
The Editor, the *Pakistan Times*, Lahore

¹Belonged to Mahsud Langar Khel tribe; formerly A.D.C. to Amir Amanullah Khan of Afghanistan; member of the Muslim League National Guards.

²See Annex II to No. 299, also Vol. II, 566-7.

³See No. 226A, *ibid.*, 442.

69

Haji Bakshi Mustafa Ali Khan to M. A. Jinnah

F. 662/8-10

19 CHINNASWAMY ROAD,
TASKER TOWN, BANGALORE,
8 July 1947

Most august and beloved Sir,

Assalaamo 'Alaikum wa Rahamatullahi wa Barakatuhu!

Pakistan Mubarak! Pakistan Zindabad!

15th August, the day of the birth of *the federated Empire*¹ [sic] of Pakistan of 50,000,000 Musalmans of the world [sic] happens to be the 27th of the holy Muslim month of *Ramazan*. The night preceding this most auspicious day is *Shab-i-Qadr* (Night of Power) in whose honour there is, in the Holy *Qur'an Surah* No. 97 in book 30. The third verse of the *Surah* describes the night as we all know as *The Night of Power is superior to even a thousand months*. It is [the] night on which our holy Prophet Muhammad (May Peace Be Upon Him) received his *call and the first [few] verses of the Holy Qur'an* were revealed in the vision [sic] at the cave at Mount Hira.² It is the holy [sic for holiest] of all holy nights. On this night, as you know, *August Sir*, there will be *Khatam Shareef*³ of *Qur'an* in all mosques all over the world. What a happy coincidence

that the Empire of the federated republics [*sic*] of the great Pakistan of fifty million Muslims should be born on such a holy day. Whoever be responsible for fixing 15th August, my inner soul says the unseen Hand of God, who is blessing Pakistan, made the date to be fixed the day following the *Shab-i-Qadr*. While there is no doubt that throughout the length and breadth of Pakistan and of Hindustan all Muslims (who have kept their *Ramazan* fasts) will with one voice pray for everlasting glory and prosperity of the new baby Empire [*sic*—I, in all humbleness, venture to suggest to your noble and august self that you kindly issue an appeal to all Muslims of the world to also pray for our Empire [*sic*] both on this holy night and after Friday prayers on 15th August. I am sure, Sir, you agree with me that at its birth our new Empire [*sic*] needs for its everlasting glory and prosperity the prayers of every Muslim man, woman and child.

Sir, you have not known me personally—four years ago when I called on you, you were confined to bed, with visitors forbidden, recovering from the murderous assault¹ by an emissary of the now deservedly extinct Khaksar Movement. I was the bearer of a message of consolation and cheer to you in your suffering from His Holiness Peer Syed Jamaat Ali Shah Sahib of Alipur (Punjab) and I then handed over to your *noble sister* that message and the gifts (a *Qur'an*, a prayer carpet, etc., etc.) with my own humble prayers and wishes for your speedy recovery from injuries and for your long life. I am a retired Superintendent of Madras Police and an ex-Khan Bahadur. I had earned the title, I am proud to say “for breaking”, as the citation said, “the Congress movement in the East Godavari District in the year 1930”. I have been your life-long devoted admirer and a life-long staunch Leaguist [*sic* for Leaguer]. My only son is now a Captain in the Indian Army and he is volunteering for transfer to the Pakistan Army.

Wishing you unbounded success and glory in your further efforts to strengthen Pakistan and wishing you a very long lease of life and wishing *Pakistan Zindabad*.

I remain,

Sir,

Your most sincere, devoted and humble servant,

B. MUSTAFA ALI KHAN

¹Underlined here and subsequently in the original.

²A mountain near Makkah where the Prophet used to go for meditation.

³Recitation of the entire Holy *Qur'an*.

⁴An attempt was made to assassinate Jinnah on 20 July 1943 by Rafiq Sabir, a Khaksar worker from Lahore. Sharif al Mujahid, Yousaf Saeed, eds., *Quaid-i-Azam Jinnah—A Chronology*, Karachi, 1981, 101.

70

Muhammad Yakub Khan¹ to M. A. Jinnah

F. 1013/22

AHMADIYYA BUILDING,
LAHORE,
8 July 1947

Respected Quaid-i-Azam,

During a month's stay in the Frontier Province (having returned only yesterday) I have formed some definite impressions about the state of things in that Province which I feel, I should, in the interest of the stability of our national state of Pakistan, bring to your notice. These impressions are based on personal contacts with people and leaders of all schools of thought.

The Referendum² will, by God's Grace, be a decisive victory for Pakistan. But it will by no means be the end of the struggle. It will only open up another and a more difficult phase of the struggle. The enclosed note is an appraisal of those difficulties and a suggestion how to meet them.

I hope you will find it of some use to you in arriving at correct conclusions about affairs in the Frontier which are assuming urgency as the Referendum is coming to a close.

With the deepest regards and devotion,

I remain,
Yours sincerely,
MUHAMMAD YAKUB KHAN
Editor, the Light, Lahore

¹The letter was typed on the letterhead of the *Light* stated to be an international weekly journal.

²Referendum in NWFP was held from 6 to 17 July 1947 and the result was announced on 20 July 1947. See Introduction, note 64, Vol. II, xlix. Also see No. 201.

Enclosure to No. 70

F. 1013/23-9

LAHORE,
8 July 1947

THE FRONTIER SITUATION TODAY

How to launch Pakistan in this Province

In order to lay the foundations of Pakistan in the Frontier Province on a sure and firm footing, it is essential to take stock of the existing situation in this Province and shape the future line of action in the light of that situation.

RED SHIRTISM

The most outstanding factor about the present Frontier situation is that Red Shirtism, though swamped for the time being, is not altogether dead. It has only retired into its shell and entrenched itself in well-knit pockets. Given an opportune moment it may flare up any moment and serve as a springboard for Hindu imperialism in this very heart of Pakistan. The belated slogan of "Pathanistan"¹ conceived and coined at the Bhangi Colony² and the Afghan Gov[ernmen]t's eleventh hour note to British Foreign Office demanding Indian territory up to the Indus are unmistakable indications that the partition of India has by no means put a "Finis" to Hindu dreams of all-India domination. And viewed in the context of the Congress-sponsored Pathan "Storm Troops" known as "Zalame Pakhtoon",³ and the open exhortations of top ranking Congress leaders to the youth of Hindustan to prepare for the restoration of India's unity by force of arms, the whole thing assumes a most sinister look and it will be a fatal mistake to suppose that now that Pakistan has been won, all is going to be smooth sailing. The very corner-stone of the "Frontier Policy" of Pakistan must therefore be to see that Red Shirtism, the dangerous fifth column of the Congress in the very heart of Pakistan, is eradicated root and branch from the soil of the Frontier.

The question is: How to do it?

Red Shirtism can be liquidated only by Red Shirtism. This is no paradox. When under the leadership of Khan Abdul Ghaffar Khan, Red Shirtism became an out-agency of Hindu imperialism in the Frontier, many front rank Red Shirt leaders, scenting the danger, parted company with him and joined the Muslim League. Many more followed suit when in the recent grim struggle for the very existence of Islam in India, the Khan Brothers openly came out as the champions of

Hindu domination over Muslims. It is this element in the League ranks in the Frontier which alone is capable of driving the last nail into the coffin of Red Shirtism. For over a quarter of [a] century, popular leadership in this Province has been the monopoly of the Red Shirt movement. To this movement goes the sole credit for political awakening among the Pathans. By virtue of the long and daring fight this movement put up against British imperialism, all true dynamic leadership of the Pathans has come to be associated with this movement. Recent developments have brought many non-Red Shirts who swelled the ranks of the League, into the limelight. But they lack the hall-mark of sufferings and sacrifices which the old veteran ex-Red Shirt leaders have to their credit. It is to these alone that the Pathans are accustomed to look up with respect and confidence. As a matter of fact, it was this element in the League ranks that put life into the recent civil resistance [disobedience] movement against the Congress Ministry. League leadership in the Frontier must be vested in these men, veterans of many a fight against British imperialism, bearing scars of years of jail life and commanding the esteem and confidence of the masses, if Red Shirtism is to be effectively dealt with.

The whole secret of the strength of Red Shirtism lies in the solid compact leadership which it has, through long years of comradeship and common suffering in its fight against British imperialism, evolved. Unionism in the Punjab has vanished like the morning dew at the very first impact of the League movement. Red Shirtism had to face a worse avalanche but it has managed to linger on in the soil of the Frontier. What is the explanation? The solid and compact leadership developed through years of close team-work and comradeship. The League in the Frontier must give the masses exactly this kind of leadership, equally well-knit and compact and with a like halo of the heroic around it, if [it] is to grip the imagination of the Pathan masses and command their confidence and respect. Such leadership alone can throw Red Shirtism in the shade and finally liquidate it.

PATHANISTAN

The cry of "Pathanistan" as raised by the Khan Brothers is no more than selling the "Pathans" to the highest bidder, the Hindu capitalist of Hindustan. But the idea of Pathan nationhood is not without a solid substratum of reality in the mental make-up of the Pathans. Khan Abdul Ghaffar Khan may have attempted to exploit that deepest racial loyalty of the Pathans to an ignoble end. But he must be given credit for insight into Pathan psychology and for tapping just this tenderest chord in his mind. The League High Command will do well to take a

leaf out of his practical knowledge of Pathan mentality and take due note of this very live tissue in the Pathan intellectual and emotional being.

"Pathanistan" in the sense of a flourishing, progressive, expanding Pathan nationhood within the comity of units comprising the Pakistan State and a bulwark to that state is an ideal which glows in the bosom of every Pathan and which is the only stimulus that can evoke the best response in him. It is this tender chord that the League High Command must touch in the Pathan's mind and there could be no surer and quicker way to liquidate Red Shirtism which owes its last flickering vitality to this very factor.

The question again is: how to do it? And the answer again is: the right type of leadership. League leadership in the Frontier must symbolize this deepest emotional aspect of the Pathan mind. It means a leadership with blazing, burning idealism, with a lofty vision as to the Pathans' destiny and above all with a complete identification with the life of the masses. I should go a step further and say that even in the physical sense Pathan leadership must be typically Pathan-like. The Pathan has an intense racial pride. Everything Pathan—Pathan blood, Pathan language, Pathan mode of life, even such details as Pathan dress and salutation—constitute with the Pathan the hall-mark of respectability. League leadership in the Frontier must reflect all these features in the highest degree. Such a leadership will knock the bottom out of Dr. Khan's hue and cry against the bogey of outside influences dominating the life of the Pathans. It shall impress the Pathans as a Government of the Pathans, by the Pathans, for the Pathans. "Pathanistan" within Pakistan and a source of strength to it will thus be an accomplished fact, and Red Shirtism will, *ipso facto*, lose its last lingering foothold on the Pathan's imagination.

MASS UPLIFT PROGRAMME

Another important factor to make Pakistan strike deep roots in the hearts of the Pathans shall be how far Pakistan administration in this Province comes up to the high expectations which people have come to form of the advent of this new era. No one, of course, would expect that the country should overnight flow with milk and honey. Nevertheless no time should be lost to launch a full-blooded programme of all-round mass uplift and to carry out that programme at top speed. This again needs a well-knit team of workers at the helm, bound together by a common burning passion to fight tooth and nail for the amelioration of the lot of the Pathans, to banish poverty, ignorance

and disease from among them, to eradicate their social and moral evils, to bring out the best and noblest that is in their Pathan culture and civilization and thereby to make them a tower of strength to the state of Pakistan. This is the kind of team and team-work, fired with this burning glowing idealism that can cope with the nation-building work which the inauguration of Pakistan is to devolve on the coming Frontier leadership.

A weak, loose, spineless leadership improvised on considerations of personal factors is bound to do more harm than good to the good name and prestige of the League than all the Congress money and the machinations of its Red Shirt fifth column put together. A strong compact leadership with a genuine backing among the Pathan masses, swayed by nothing but the highest ideals of service and nation-building, capable of facing all possible opposition within or without the legislature and implementing a revolutionary programme in the face of all forms of vested interests—leadership such as this should be the top priority with the builders of Pakistan in the Frontier.

LEADERSHIP

From every point of view, the Frontier problem resolves into a question of efficient inspiring leadership. Critical are the days that lie ahead. The Frontier Province, the most explosive area in the whole of India, is going to become the battle ground of diverse conflicting forces contending for supremacy. The League High Command must know and appreciate that three million sturdy, valiant Pathans, ready for any sacrifice for Pakistan, with another three to four million of their kinsmen scattered across the border belt from Gilgit to Baluchistan, with no less than a full million rifles and crack riflemen, constitute the most invaluable asset of Pakistan. Coupled with this is the consideration that in another few weeks when Pakistan Ministries come into saddle, we will be laying the first brick, as it were, of Pakistan. This first brick will be a fateful brick. Upon it will largely depend how far Pakistan is going to be a state worthy of the great faith, culture and history of Islam.

It is the purpose of these lines that in view of these momentous issues that are involved in the correct appraisal and handling of the Frontier potentialities, the leadership of this Province must not be made the sport of office hunters or opportunists, quite a host of whom have recently infiltrated into the ranks of the League. At this transitional stage when everything is in the melting pot, when the whole framework of Pakistan has to be given shape and form, when one-false

step may mean a national disaster, the League High Command must see to it that this key Province of Pakistan is placed in the hands of only first rate men—men who really symbolize the national life and aspirations of the Pathans, men who share the joys and sorrows of the masses of Pathans, men whose hearts beat in unison with those of the humblest of Pathans in their thousands of mud huts or at the plough. Such a team of workers alone can command the spontaneous confidence and cooperation of the Pathan masses and cope with the numerous problems which Frontier leadership will be called upon to tackle.

The League High Command will shortly be confronted with this very momentous task—the selection of a right team to assume responsibility for the administration of the Frontier Province. It is to be a momentous choice—a turning point in the onward march of Islam in this country. It is the purpose of this note to place all the facts and factors of the Frontier situation before the High Command so that it may have a correct data to proceed upon and may not take a leap in the dark. Needless to add that office hunters have become a regular pest of our national life and in making this choice of a really dynamic team for this Province, the League shall have to put down all office scrambling with a firm hand and must be swayed by nothing but the highest of national considerations. After all the nation is greater than individuals. Where the highest national interests are concerned, individuals, however high[ly] placed or influential, should not be allowed to come into the picture.

In the end I may be permitted to add that Muslim India has not in the past been quite alive to the key position which this Province occupies. British imperialism attached so much importance to this part of the country that its "Frontier policy" came to develop into a regular science and there sprang up a number of schools of experts advocating one policy or another.⁴ Hindu imperialism too was not slow to see the tremendous potentialities of this region in the shape of things to come. Long ago it established extensive contacts in the Frontier and has ever since spared neither thought, nor pain, nor money to make this province a citadel of that imperialism. Muslim India was lying snugly asleep all this time when Hindu imperialism, was steadily stealing a march on it at this strategic point. Red Shirtism which has been the main stumbling block in the path of Pakistan and threatens to be its main headache after the establishment of Pakistan, is the punishment visited upon the Muslims of India for this lack of alertness on their part, so far as the Frontier is concerned. Let us not repeat that mistake and proceed with the utmost caution and vigilance, so far as our

policy in the Frontier is concerned. This note indicates what the key-note of that policy must be.

MUHAMMAD YAKUB KHAN
Editor, the Light, Lahore

¹See Annex to Annex III and Annex VI to No. 299, Vol. II, 570 and 573-5, respectively. Also see Appendix V, 3-4 and V, 19-20, *ibid.*, 859-60 and 874-5, respectively.

²The slum area in Delhi inhabited by Scheduled Castes where Gandhi often stayed.

³See No. 411, note 4, Vol. I, Part I, 737.

⁴See No. 270, note 2, *ibid.*, 472.

71

National Bank of India Ltd., Lahore, to M. A. Jinnah

F. 757/171

8 July 1947

Dear Sir,

We have to acknowledge receipt of your letter of 1st instant¹ enclosing two cheques aggregating Rs. 6,300 for credit, on realisation, to your account.

Yours faithfully,
Manager

[Note.] Rent for Lahore house from Sep[tember 1946] to May [19]47.

¹Not available in QAP.

72

H. M. Patel to M. A. Jinnah

F. 1/191

No. P.O.-9/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
8 July 1947

With reference to this office memorandum No. P. O.-9/PC/47, dated the 5th July, 1947,¹ circulating a note by the Steering Committee regarding further concessions to be offered to ratings and other ranks of the Royal Navy, British Army and Royal Air Force, the undersigned is

directed to state that the recommendation of the Steering Committee has been approved by the Partition Council.

H. M. PATEL

¹See F. 127/1-2, QAP. Not printed.

73

Mrs K. L. Rallia Ram to M. A. Jinnah

F. 487/94-5

ELYSIUM HOTEL, SIMLA,
8 July 1947

Dear Mr. Jinnah,

I hope you have taken note of Mr Munshi's statement¹ on "barbarous upheaval of violence in Pakistan". I like [sic] the cheek of these Hindus who deliberately become ostriches to what the Hindus did to Muslims in Bihar,² Garhmukteshwar³ and now in Gurgaon,⁴ where the Muslim population of Meos is being practically wiped out by the Bharatpur and Alwar States.

The behaviour of Hindus towards the Muslims is like that of the wolf who blamed the lamb for sullyng the water stream when he wanted an excuse to eat him up. They cannot bear the division of India whereby a complete surrender of Muslims to Hindus has been made impossible; and hence are carrying on a campaign of hatred, ill will and bitterness against the League. There are never going to be friendly relations between the Congress and the League. This point should be remembered once for all and the Muslims should be well prepared for it.

And look how the Hindu press does wrong propaganda in the press by publishing photos of Hindu victims of Gurgaon and calling it the Muslim League madness. It is the Muslims who are the victims there and the League should publish their photos. Instead we find Hindus propagating that Hindus are the victims.

Have you read that the non-violent Congress Ministry of the Frontier has issued 30,000 arms licences!

Hope you are well and fit. Wishing you long life,

Sincerely yours,
MRS. K. L. RALLIA RAM

¹Enclosure.

²No. 43, Vol. I, Part I, 93-102. Also see Appendix IV, *ibid.*, Part II, 45-64.

³Riots in Garhmukteshwar took place on 6 and 7 November 1946. See Nos. 15, 21, 69, para 3, and 107, para 2, *TP*, IX, 30, 40, 127 and 196, respectively.

⁴See Appendix II. 5 to II. 18, Vol. II, 806-24.

Enclosure to No. 73

BARBAROUS UPHEAVAL OF VIOLENCE IN PAKISTAN

Q. What do you think of its effect on the possibilities of bringing back the unity of India?

Ans. Let us not lose sight of realities. *The barbarous upheaval of violence in Pakistan areas made their inclusion in India not only impracticable but dangerous. The two Dominions are a realistic expression of that upheaval. I do not see any near prospect of the seceding parts coming back to India. There is too violent an anti-Hindu and anti-Sikh passion sweeping over the Muslim masses in those areas. I share Gandhiji's view that the relations between India and Pakistan are not going to be easy.*

[K. M. MUNSHI]²

¹Underlined in the original.

²Member, Constituent Assembly.

74

Squire, Kabul, to Secretary of State for Foreign Affairs, London

Telegram,¹ F. 10/135

SECRET

8 July 1947

O.T.P. 195/57 KATODON

Received: 9 July 1947

Regret that owing to oversight enclosures to my despatch of twenty-sixth² were not included. They will follow by next mail. The *aide-memoire*³ of which I did not give a copy to Afghan Foreign Minister comprised statement that Government of India would not accept proposed Mission⁴ and warnings contained in paragraph 5 of Government of India's telegram No. 5047.⁵

¹Telegram was repeated to Foreign, New Delhi, which was requested to pass it on to NWFP, Baluchistan and High Commissioner for India, New Delhi.

²Not available in QAP.

³See para 2 of Annex I to No. 60.

⁴See Nos. 221 and 288, Vol. II, 431-2, and 554, respectively.

⁵No. 310, *ibid.*, 588. Also see No. 395, *TP*, XI, 732.

75

Squire, Kabul, to Foreign, New Delhi

Telegram,¹ F. 10/136

SECRET

8 July 1947

No. 58 KATODON

Received: 9 July 1947

My telegram No. 54.² Reply to A.I.R. broadcast was made over Kabul Radio on July 5th and July 6th and in press on July 6th. The allegation that Afghan representations were made on instigation of Russia has of course been strongly denied though curiously enough it is only British Press and Radio and not A.I.R. that is criticized.

2. General trend of article is that "Frontier belongs to Afghanistan" and that referendum in present form will not be regarded as legitimate.

¹Telegram repeated to Secretary of State for Foreign Affairs, London.

²Not available in QAP.

76

C.F.V. Williams to M. A. Jinnah

F. 2/196

NEW DELHI,

8 July 1947

Dear Mr. Jinnah,

Will you please refer to Lord Mountbatten's letter dated the 4th July 1947¹ on the subject of the pay and allowances of Governors?

I enclose a note showing the present position in the matter of Governors' allowances.

Yours sincerely,

C.F.V. WILLIAMS

Secretary to the Governor-General (Public)

¹No. 29.

*Enclosure 1 to No. 76**F. 2/197-201*

NOTE REGARDING ALLOWANCES ADMISSIBLE TO GOVERNORS

Provision for Governors' allowances is made in the Government of India (Governors' Allowances and Privileges) Order 1936.¹ The allowances in respect of equipment and travelling, as laid down in the Second Schedule to the Order, are as follows:

*On appointment*ALLOWANCES ON APPOINTMENT
1. EQUIPMENT AND TRAVELLING

	Governors of Madras, Bombay and Bengal	Governor of the United Provinces	Governors of the Punjab and Bihar	Governors of other Provinces
If resident in Europe when appointed	£ 2,000	£ 1,800	£ 1,500	£ 1,200
If resident in India or Ceylon when appointed, and not then in the service of the Crown in India	750	650	550	450
If resident elsewhere when appointed				
Equipment	1,000	900	750	600
Travelling (to India) on appointment (see note below)	400 (maximum)	300 (maximum)	300 (maximum)	300 (maximum)
If in the service of the Crown in India when appointed (otherwise than as a Governor)	500	400	300	200
If transferred from the Governorship of another Province				
Equipment	250 if transferred from Madras, Bengal or Bombay; 350 in other cases.	200	160	120
Travelling in India on appointment	In each case there shall also be paid to the Governor an allowance equal to his actual expenses in travelling within India with his family, if any, and his and his family's effects, to take up his duties as Governor.			

Note. The allowance for travelling (to India) to be allowed to a Governor who is resident elsewhere than in Europe, India or Ceylon

when he is appointed shall be as decided by the Secretary of State in each case, subject to the maxima specified above.

2. MOTOR CARS

A sum to be fixed from time to time by the Secretary of State and to be payable subject to such conditions as may be determined by him, to be spent in the purchase for the Province of suitable motor cars for the use of the Governor; and the Governor's actual expenses on freight and insurance in transporting those motor cars to his Province.

Once during tenure of office

2. A Governor may also be paid from time to time an allowance equal to the actual expenses in renewing the furnishings of his official residences, subject to the maximum amounts specified in the Third Schedule to the Order. The maximum amounts are as follows:

MAXIMUM ALLOWANCES TO GOVERNORS FOR RENEWALS OF FURNISHINGS OF OFFICIAL RESIDENCES

	Rs.
Madras	70,000
Bombay	1,15,000
Bengal	1,02,500
The United Provinces	20,000
The Punjab	15,000
Bihar	22,500
The C.P. & Berar	14,500
Assam	5,000
The N.W.F.P.	8,750
Orissa	12,500
Sind	19,700

Annual Allowances

3. In order that a Governor may be enabled to discharge conveniently and with dignity the duties of his office, provision has also been made for expenditure each year to be charged on the revenues of the province for such purposes as are specified in the Fourth Schedule to the Order, subject to the maximum amounts laid down in that Schedule. The particulars are as follows:

MAXIMUM YEARLY AMOUNTS (IN RUPEES) CHARGED ON THE REVENUES OF THE PROVINCES IN RESPECT OF CERTAIN MATTERS

	Madras	Bombay	Bengal	The United Provinces	The Punjab	Bihar	The Central Provinces and Berar	Assam	The North-West Frontier Province	Sind	Orissa
1. Sumptuary Allowance	18,000	25,000	25,000	15,000	12,000	6,000	6,000	6,000	6,000	12,000	6,000

2. Staff and Household:											
a. Military Secretary (or A.D.C.) and his establishment	1,19,300	1,36,000	1,21,000	1,16,000	88,000	75,000	61,000	61,000	68,000	63,000	40,000
b. Band	43,000	45,000	50,000								
c. Bodyguard	1,24,000	77,400	98,500								
d. Surgeon and his establishment	36,000	33,600	34,800								
e. Maintenance and repairs of furnishings of official residences	21,500	25,000	34,000	14,500	10,500	13,000	9,800	4,000	5,600	6,800	6,000
3. Contract Allowance i.e., an allowance for miscellaneous expenses, including maintenance of motor cars											
	92,000	1,08,000	1,10,000	23,000	24,100	21,700	16,600	14,100	14,100	32,000	11,500
4. Tour Expenses	1,23,000	65,000	1,22,000	1,25,000	97,600	60,000	26,000	55,000	18,000	50,000	35,000

Note. The Sind allowances were raised recently because the Governor has to entertain a large number of important personages who nowadays travel by air.

The amounts that a Governor may spend under the sub-heads mentioned above are subject to the following reservations:

- The maximum amounts under Military Secretary and his Establishment, Bodyguard, and Surgeon and his Establishment may in any year be increased by such amount as the Governor may consider necessary to defray the leave allowances of any officer whose pay is not under these heads; by the cost of free passages to and from India as authorised by the Secretary of State, and any pensionary charges; also by any deferred pay due on retirement to a member of a Governor's Bodyguard.
- The maximum limits specified under "Maintenance and repairs of furnishings of official residences" and "Contract Allowance" for any year may be increased by the amount of any portion of the maximum not expended in previous years.
- The maximum amount specified under "Maintenance and repairs of furnishings of official residences", "Contract Allowances" and "Tour Expenses" may be increased by such further amounts not exceeding 25% of the amount so specified as the Secretary of State may by special order authorise.
- The maximum amounts specified in respect of any item in the Fourth Schedule may in any year be increased by such further amount as the Governor may, subject to the Secretary of State's general or special orders, consider necessary to defray the cost of any extra allowances granted to meet the increased cost of living arising out of war conditions.
- The Governors of the Punjab, the N.W.F.P. and Orissa (but not the Governors of other Provinces) may charge the cost of petrol consumed during tours against the grant for "Tour Expenses" instead of against the "Contract Allowance."

4. The Order further provides that there shall be charged on and paid out of the revenues of each Province such amounts for the maintenance, improvement, renewal or replacement of the Governor's official residences and official railway saloons, river craft, and aircraft, and for the provision, if it is thought desirable, of official aircraft as the Secretary of State may by general or special order authorise. (See Appendix).²

5. Leave allowances are payable to Governors at the following rates:

Governors of Madras, Bengal, Bombay, the United Provinces, the Punjab, and Bihar	4,000 rupees p.m.
Governor of the Central Provinces and Berar	3,000 rupees p.m.
Governors of other Provinces	2,750 rupees p.m.

Provided that the Secretary of State may, in any particular case, for special reasons to be recorded by him, increase the rate to such amount, not exceeding 5,500 rupees per month, as appears to him just.

6. Customs duties are not levied in India on the following articles if imported or purchased out of bond by Governors on appointment or during their tenure of office:

- a. articles for the personal use, wear or consumption of the Governor or any member of his family;
- b. food, drink and tobacco for consumption by members of the Governor's household or by his guests, whether official or not;
- c. articles for the furnishing of any of the Governor's official residences;
- d. motor cars provided for the Governor's use.

7. The Government of India (Governors' Allowances and Privileges) Order 1936 was recently reviewed in consultation with the India Office. The following changes have been suggested:

- a. Increase in the maximum amounts specified in the Third Schedule by an amount not exceeding 25%.
- b. The amounts under the various sub-heads in the Fourth Schedule to the Order (see para. 3 above) to be aggregated and the aggregate amount to be increased by 25% (in the case of Sind by 50%).
- c. The maximum amounts in the Fourth Schedule may in any year be increased to meet miscellaneous expenditure such as leave and cost of touring allowances of the Governor's establishment.

¹See F. 4/28-34, QAP. Not printed.

²Enclosure. 2.

Enclosure 2 to No. 76

F. 2/202

APPENDIX

TABLE "A"

EXPENDITURE IN RESPECT OF OFFICIAL RESIDENCES OF GOVERNORS

Province	Improvements		Maintenance and Repairs				Total
		Gardens	Electricity	Water	Taxes	Repairs	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Madras	50,000	40,000	55,000	17,000	9,000	1,03,000	3,40,000
Bombay	34,000	34,400	40,000	35,000	30,550	1,63,000	3,36,950
Bengal	28,000	41,900	20,100		2,14,600	3,28,400	6,33,000
United							
Provinces	30,000	23,000	20,000	15,000	20,000	57,000	1,65,000
Punjab	17,000	20,000	15,000	4,850	5,100	44,000	1,05,950
Bihar	25,000	23,000	14,000	9,500	29,000	62,000	[1,62,500]
Central							
Provinces	10,000	6,000	2,500	2,600	1,000	40,000	62,100
Assam	15,000	13,100	11,200		-	15,700	55,000
N.W.F.P.	10,000	6,800	11,000	700	2,000	27,000	57,500
Sind	7,500	15,000	10,000	5,400	5,900	15,000	58,800
Orissa	6,500	6,000	11,000	5,500	4,500	18,500	52,000
Grand Total = Rs. 20,18,000[Rs. 20,28,800]							

TABLE B

EXPENDITURE IN RESPECT OF OFFICIAL RAILWAY SALOONS AND RIVER CRAFT OF GOVERNORS

Province	Official Railway Saloons	Official River Craft
	Rs.	Rs.
Madras	18,000	
Bombay	28,500	
Bengal	12,000	10,000
United Provinces	4,000	
Punjab	7,000	
Bihar	8,000	
Central Provinces	3,500	
Assam	5,000	
North West Frontier		
Province	2,500	
Sind	8,500	7,500 from 1945-46
Orissa	8,500	1,200

77

M. Zia-ud-Din to M. A. Jinnah

F. 472/15-7

5 QUEENS ROAD, QUETTA,

8 July 1947

My dear Quaid-i-Azam,

I have been in Baluchistan for about eight months now, and consider it my duty to bring to your notice some important problems of this Province particularly at this juncture. The Province, as you are aware, consists of the British Districts of Sibi, Pishin and Duki, etc., the tribal areas of Marris, Bugtis, Nushki and Zhob,¹ and the leased territories of Quetta, Bolan and Nasirabad.² According to the provisions of the Independence Bill³ which is now pending before Parliament only those districts are coming into Pakistan which are being administered by the Chief Commissioner of "British Baluchistan" and that all agreements with States and Tribal Areas lapse from 15th August. This means that Quetta which is the heart of the Province and the only town with large and extremely important military installations will not become a part of Pakistan, and that the area of Nasirabad which is the only food and revenue producing portion of Baluchistan will also be lopped off from it. The Tribal Areas will become independent and all the leased areas including the Bolan Pass will revert to the Kalat State.

2. Those portions of Baluchistan which are described as British Baluchistan in the Independence Bill and which are coming into Pakistan, are in reality mountain areas and quite useless. They are isolated from the rest of Pakistan. Baluchistan as a province will in any case be a liability for Pakistan, but disintegrated [sic] and shorn of the Leased Areas, it will become a millstone round its neck. At the present juncture if Pakistan loses Quetta it loses one of the most important military stations, and the strategic and trade routes to Persia and Afghanistan. The people of Quetta are also horrified by the thought of coming under Kalat State, and there is great consternation. The Muslim League has been promising these people a place in Pakistan, and that is why the *Sardars* voted unanimously for it ten days ago.⁴ They could never dream of reversion to Kalat State.

3. According to the present arrangements of the Bill, on 15th August all the courts in Quetta will cease to have any jurisdiction and the whole headquarters of the Province will no longer function legally. Somehow I

cannot visualise the scene on that day, but it will be a tragedy if while on the one hand the attainment of Pakistan is being celebrated, on the other hand one of our prize cities will be passing into a medieval state. The disintegrated [*sic*], isolated, and poor districts of British Baluchistan cannot possibly exist as a province without Quetta and Nasirabad, and they will become hotbeds of intrigue for the neighbouring countries and ambitious tribesmen. Ninety per cent of the population of Quetta will leave the place if it reverts to Kalat. It will perish as a town and the railway, roads, aerodromes and military installations will be impossible to maintain. We shall also lose the Cantonments of Loralai and Fort Sandeman.⁵

4. The potential mineral wealth of Baluchistan exists in the tribal areas only. Coal is found at Mach which is leased territory. Chrome is found in Hindubagh⁶ which is Tribal Area. Sulphur and copper are found only in Tribal Areas. Therefore all the potential sources of Baluchistan's wealth also go out under the present scheme.

5. You know, Sir, that I belong to Peshawar and am here for a case only. I shall return to my own province in a couple of months. But from the point of view of Pakistan I am naturally interested in Baluchistan. I have had the unique advantage of visiting all the districts and many of the villages of this province and I feel for its people and their future.

6. I am not making any suggestions as to what should be done. That is a matter of high policy which you will determine yourself, but I beg you to take steps to prevent the loss of very valuable areas by Pakistan.

Yours sincerely,

M. ZIA-UD-DIN

Bar-at-Law

¹These areas forming part of Kalat State were separated on grounds of administrative and political expediency through agreements with the British Government. See Enclosure 1 to No. 155, Vol. I, Part I, 287-92.

²The territories of Quetta and Bolan were leased to the British Government under Agreement of 1883 and Nasirabad under Agreement of 1903. See Enclosure 4 to No. 155, items 4 and 6, Vol. I, Part I, 303-4 and 306-8, respectively.

³Enclosure 1 to No. 1, clause 2 (2) (b).

⁴All members of the *Shahi Jirga* and of the Quetta Municipality present voted unanimously on 29 June 1947 to join the Pakistan Constituent Assembly.

⁵Now called Zhob.

⁶Now called Muslimbagh.

78

Sh. Muhammad Arif to M. A. Jinnah

F. 886/255-8

PRINCE ROAD, QUETTA,
9 July 1947

Respected Quaid-i-Azam,

Pray excuse me [for] this intrusion. The importance of the matter is my sole excuse for this encroachment on your precious time.

The Province of Baluchistan,¹ as constituted at present, comprises three different kinds of areas:

- a. British Baluchistan, usually called the Chief Commissioner's Province of British Baluchistan and forming about 1/4th of the entire area of the Province.
- b. Baluchistan Leased Areas including Quetta and Nasirabad subdivisions.² These areas were acquired under treaties from the Rulers of Kalat State. Total area falling under this category comes to about 1/4th of the Province.
- c. Baluchistan Tribal Areas,³ which include Marri and Bugti territories, Zhob and Loralai Districts, Dalbandin, etc., etc. These areas were like the Leased Areas taken over by the Government of India for administrative purposes, under treaties made with certain tribal heads.

Now as laid down in Section 7, clauses (b) and (c) of the Indian Independence Bill,⁴ all treaties and agreements with Indian States and persons in Tribal Areas will cease to be operative with effect from the 15th of August 1947. This means that the Leased and Tribal Areas comprised in (b) and (c) above will revert to the Khan of Kalat and become independent respectively; and the only part of the Province of Baluchistan which will be included in the territories of Pakistan is the Chief Commissioner's Province of British Baluchistan as laid down in Section 1. If this interpretation of the provisions of the said Bill be correct, it would mean that a substantial portion of the Province of Baluchistan will not be a part of Pakistan and the Pakistan area in this Province will be a territory entirely cut off from the rest of Pakistan areas. This may lead to several political and administrative complications.

The Tribal Areas are very rich in minerals. They contain chrome, sulphur, mica, coal, lead, etc., etc., and the Leased Areas contain petrol and coal. So if these areas are excluded from Pakistan it would mean a great loss to the Pakistan Dominion.

Besides, Nasirabad constitutes almost the granary of Baluchistan and if Nasirabad goes back to Kalat State, there would be shortage of food-grains in the Baluchistani Pakistan area.

This is not all. Quetta is the only town worth the name in the Province of Baluchistan. It is the only town where persons belonging to different provinces and countries have settled permanently (and are plying different trades and professions). They are all anxious to continue in the Dominion of Pakistan. Moreover, Quetta with all its good and costly buildings and nice roads, is the only fit place to serve as headquarters of [a] Provincial Government for the Pakistan areas in this Province. The Khan of Kalat with his limited resources and small income will not be able to maintain these roads and buildings in a good condition.

In view of the foregoing it is feared that if the Leased and Tribal Areas are excluded from the Dominion of Pakistan, the remainder of Baluchistan would only mean a great liability upon the Pakistan Government, and its administration and defence alone may cost about seven crore per annum.

As I am keenly interested in the prosperity of Pakistan and its people, I have ventured to lay these facts before you, with a fervent hope that a lawyer of your acumen and ability and a leader of your experience and sagacity will find out some way out of this difficulty and succeed in retaining the said areas within the Dominion of Pakistan. The declaration made by the representatives of these areas to be included in Pakistan may perhaps serve some useful purpose in this respect.

Yours sincerely,

S. M. ARIF

B.A., LL.B.,

Advocate,

Notary Public in Baluchistan

¹Baluchistan was not a Governor's Province. For Jinnah's views about Baluchistan's elevation to a province, see Annexes I-III.

²Districts of Quetta, Nushki and Nasirabad were leased out to the British under the Agreements of 1883, 1899, and 1903, respectively. See Enclosures to No. 155, Vol. I, Part I, 287-308.

³Baluch Tribal Areas, by Agreement with the British Government, were separated from Kalat State on grounds of administrative and political expediency. See Enclosure 1 to *ibid.*, 287-92.

⁴Enclosure 1 to No. 1.

78

Sh. Muhammad Arif to M. A. Jinnah

F. 886/255-8

PRINCE ROAD, QUETTA,
9 July 1947

Respected Quaid-i-Azam,

Pray excuse me [for] this intrusion. The importance of the matter is my sole excuse for this encroachment on your precious time.

The Province of Baluchistan,¹ as constituted at present, comprises three different kinds of areas:

- a. British Baluchistan, usually called the Chief Commissioner's Province of British Baluchistan and forming about 1/4th of the entire area of the Province.
- b. Baluchistan Leased Areas including Quetta and Nasirabad subdivisions.² These areas were acquired under treaties from the Rulers of Kalat State. Total area falling under this category comes to about 1/4th of the Province.
- c. Baluchistan Tribal Areas,³ which include Marri and Bugti territories, Zhob and Loralai Districts, Dalbandin, etc., etc. These areas were like the Leased Areas taken over by the Government of India for administrative purposes, under treaties made with certain tribal heads.

Now as laid down in Section 7, clauses (b) and (c) of the Indian Independence Bill,⁴ all treaties and agreements with Indian States and persons in Tribal Areas will cease to be operative with effect from the 15th of August 1947. This means that the Leased and Tribal Areas comprised in (b) and (c) above will revert to the Khan of Kalat and become independent respectively; and the only part of the Province of Baluchistan which will be included in the territories of Pakistan is the Chief Commissioner's Province of British Baluchistan as laid down in Section 1. If this interpretation of the provisions of the said Bill be correct, it would mean that a substantial portion of the Province of Baluchistan will not be a part of Pakistan and the Pakistan area in this Province will be a territory entirely cut off from the rest of Pakistan areas. This may lead to several political and administrative complications.

The Tribal Areas are very rich in minerals. They contain chrome, sulphur, mica, coal, lead, etc., etc., and the Leased Areas contain petrol and coal. So if these areas are excluded from Pakistan it would mean a great loss to the Pakistan Dominion.

Besides, Nasirabad constitutes almost the granary of Baluchistan and if Nasirabad goes back to Kalat State, there would be shortage of food-grains in the Baluchistani Pakistan area.

This is not all. Quetta is the only town worth the name in the Province of Baluchistan. It is the only town where persons belonging to different provinces and countries have settled permanently (and are plying different trades and professions). They are all anxious to continue in the Dominion of Pakistan. Moreover, Quetta with all its good and costly buildings and nice roads, is the only fit place to serve as headquarters of [a] Provincial Government for the Pakistan areas in this Province. The Khan of Kalat with his limited resources and small income will not be able to maintain these roads and buildings in a good condition.

In view of the foregoing it is feared that if the Leased and Tribal Areas are excluded from the Dominion of Pakistan, the remainder of Baluchistan would only mean a great liability upon the Pakistan Government, and its administration and defence alone may cost about seven crore per annum.

As I am keenly interested in the prosperity of Pakistan and its people, I have ventured to lay these facts before you, with a fervent hope that a lawyer of your acumen and ability and a leader of your experience and sagacity will find out some way out of this difficulty and succeed in retaining the said areas within the Dominion of Pakistan. The declaration made by the representatives of these areas to be included in Pakistan may perhaps serve some useful purpose in this respect.

Yours sincerely,

S. M. ARIF

B.A., LL.B.,

Advocate,

Notary Public in Baluchistan

¹Baluchistan was not a Governor's Province. For Jinnah's views about Baluchistan's elevation to a province, see Annexes I-III.

²Districts of Quetta, Nushki and Nasirabad were leased out to the British under the Agreements of 1883, 1899, and 1903, respectively. See Enclosures to No. 155, Vol. I, Part I, 287-308.

³Baluch Tribal Areas, by Agreement with the British Government, were separated from Kalat State on grounds of administrative and political expediency. See Enclosure 1 to *ibid.*, 287-92.

⁴Enclosure 1 to No. 1.

Annex I to No. 78
Louis Mountbatten to the Earl of Listowel
Telegram, Mountbatten Papers
*[Extract]*¹

IMPORTANT/SECRET
 No. 2018-S

NEW DELHI,
 17 July 1947, 11.00 p.m.

Received: 18 July 1947, 1.40 a.m.

2. In para 2 of your telegram 9037 of July 14th² you say that Baluchistan cannot be made a Governor's Province except by the Dominion Legislature in exercise of its constituent powers.

3. Mr Jinnah is very anxious to make Baluchistan a Governor's Province, probably for prestige reasons, and I understand that if Section 290 of the 1935 Act is suitably adapted[,] a Governor's Province could be created by Order in Council after repeat after August 15th. I am however obtaining further advice on this and will telegraph again.

¹No. 158, *TP*, XII, 220.

²See note 2, *ibid.*, 221.

Annex II to No. 78
The Earl of Listowel to Louis Mountbatten
Telegram, L/P&J/10/141
*[Extract]*¹

IMPORTANT
 No. 9329

INDIA OFFICE,
 19 July 1947, 11.30 p.m.,

Received: 20 July 1947, 10.10 a.m.

Your telegram No. 2018-S of 18th July.²

2. I await further telegram promised in your para 3. Meanwhile proposition seems doubtful on following grounds.

3. Section 290 of 1935 Act requires that Federal Legislature (which for this purpose would be Pakistan Constituent Assembly) should be consulted before Governor's Province is created and I do not see how Section 290 could be adapted consistently with Section 8(2) of Indian Independence Act in such a way as to make such consultation unnecessary.

4. Moreover I do not see how purposes of Section 8(2) could be fulfilled unless constitutional machinery of new Province were to be on same lines as that in other Governor's Provinces. This would involve

creation of a Provincial Legislature, of which the Ministers would ordinarily be members (Sections 51(2) and 60 of 1935 Act). Would Jinnah be willing or able to set up necessary machinery (which would of course include making provision in regard to such matters as constituencies and franchise) merely to cover period until Constituent Assembly has drawn up a new constitution for Baluchistan?³

¹In a note, Rumbold, Assistant Secretary, India Office, wrote: "I think there may be virtue in bringing home to Mr Jinnah in the relatively unimportant context of whether British Baluchistan should become a Governor's Province, the important point that there are definite limitations on the order-making power contained in Section 9 of the Indian Independence Act and that the Governor-General is not a complete dictator." See No. 178, note 1, *TP*, XII, 267.

²Annex I.

³In a telegram of 21 July, Mountbatten stated: "Sir G. Spence agreed with the view that there were legal difficulties in creating a Governor's Province in Baluchistan at once.... There is also point that unless tribal areas are included in new Province it is absurdly small and there has been a move from tribal areas to come in. Spence will discuss whole matter with Jinnah; meantime it cannot be regarded as certain that appointment will be a Governor's appointment.... In the event, Baluchistan did not immediately become a Governor's Province...." See No. 178, note 3, *TP*, XII, 267.

Annex III to No. 78
Minutes of Viceroy's Sixty-First Meeting
Mountbatten Papers
[Extract]¹

SECRET

[NEW DELHI],
21 July 1947, 10 a.m.

ITEM 6
BALUCHISTAN

Sir George Abell stated that Sir George Spence agreed with the ruling given by the Secretary of State that Baluchistan could not be made a Governor's Province without the Legislature being consulted. It was further pointed out that the present area of British Baluchistan was extremely small; that there had already been approaches from the tribal areas to join it; and that further action towards declaring it a Governor's Province might profitably await the result of these approaches.

His Excellency the Viceroy directed P.S.V. to arrange for Sir George Spence to discuss this matter with Mr. Jinnah.

¹No. 191, *TP*, XII, 280.

79

*I. I. Chundrigar to M. A. Jinnah**F. 251/42-4*CIRCUIT HOUSE, PESHAWAR,
9 July 1947

Dear Quaid-i-Azam,

H. E.¹ called me again for an interview² on the 7th instant at 4 p.m. and further discussed with me the effect of the Referendum on the continuance of the present Ministry. He told me that his own reports corroborated my statement that the Muslim League is likely to score a decisive victory in the Referendum. I told him that one of the fundamental differences between the Congress Party and the Muslim League Party was their attitude towards Pakistan, and once it is ascertained that the majority of the electorate is with the Muslim League on this issue, it must be assumed that the present Congress Ministry has forfeited the confidence of the electorate and cannot continue in office any longer. He agreed with me that constitutionally I was entirely right and that the Congress Premier should tender the resignation of his Ministry if a fairly large number of the electorate voted in favour of Pakistan. There are about 5,22,000 Muslim voters and about 85,000 non-Muslim voters on the electoral roll. The total number of votes actually polled in the last election was 3,80,000 and nearly 62% of the number of voters on the electoral roll in the constituencies in which the elections were contested, participated in voting.³ Even if the present elections were contested, the polling was likely to be about 62%, and if the Muslim League secured more than 31% of the votes on the electoral roll, it could have obtained a clear majority against the Congress Party. As it is, the vote is likely to be much more decisive. The Governor agreed that if the Muslim League could secure 40% of the number of Muslim votes on the electoral roll, they could be deemed to have a majority of the Province with them and the Khan Ministry ought to resign; but he was not quite sure whether they would do so, and in that event he wanted to discuss with me the various alternatives open to him. I told him that the only two alternatives open to him were to dismiss the Ministry and invite the Leader of the Muslim League Party⁴ to form a Ministry, or at the worst, to take over the administration under Section 93.⁵ There was no third alternative open. He, however, wanted to know whether it would be possible to form a Coalition

Ministry from about the 20th July to the 15th August, either with Dr. Khan Sahib as the Premier or with the Leader of the Muslim League Party as the Premier. I told him that this was entirely out of question because the Khan Brothers and the Congress Party were acting as traitors to the Pakistan State. They were trying to weaken Pakistan with a view to help Hindustan. They were inviting the Faqir of Ipi to declare himself *Badshah*⁶ and were promising him support, thereby practically inviting a foreign invader. In these circumstances, the idea of forming any coalition with them was impossible. After fully discussing the problem he agreed with me that a coalition was impossible. He said that there was no point in ordering fresh elections under the 1935 Act when the constitution of the Province was going to be framed by the Constituent Assembly of Pakistan and fresh elections could only be held under the new constitution. He said that Dr. Khan Sahib ought to resign if the result of the Referendum disclosed that about 40% of the Muslim voters on the electoral roll voted in favour of Pakistan.

2. He called me again on the 8th instant at 7.30 p.m.⁷ and further discussed the same question with me. On this occasion he put forward a strange suggestion that the Pakistan Dominion will probably appoint its own Governor and Interim Ministry by the 15th August, and whether he should not in that event refrain from dismissing the Khan Ministry if it did not resign about the 20th July, as the interval between the 20th July and 15th August would be short. I told him that this point was already fully discussed by me with him. The Khan Brothers were already preparing themselves to launch a movement against the Government, and it would be absurd to allow a party to prepare itself for launching a movement against Government with all the resources of Government at its command. I told him that the Muslim League will take this very seriously, and could not contemplate the continuance of the present Ministry in office even for a single day after the result of the Referendum was known. My impression is that he was trying to watch my reaction to this proposal, but on finding that my reaction was uncompromisingly hostile, he said that there was considerable force in what I said, and he agreed that it would not be proper to allow a party to use the machinery of Government for strengthening itself to fight Government in future.

3. He asked me one pertinent question. It was whether the Pakistan Government had decided to have a Muslim Commander-in-Chief just as the Hindustan Government was likely to appoint a Hindu Commander-in-Chief. I told him that, so far as I knew, the matter was not finally

decided, but that if he had any views, I will communicate them to you. Naturally he felt embarrassed but said that if the present General in Northern Command⁸ were considered, he would probably be willing to place his services at the disposal of Pakistan Government. As far as I could read between the lines, he wanted himself to be considered for the post, and I did not consider it politic either to encourage or discourage any hopes.

4. I think on the whole he is inclined to take the right view that the Khan Ministry must resign or be dismissed after the Referendum discloses the voting by about 40% of the Muslim electorates on the rolls in favour of Pakistan. Personally I feel we will have a much larger vote.

5. The Referendum in three Muslim constituencies in Hazara District and one Muslim constituency in D. I. Khan District took place on the 6th and 7th instant and reports⁹ received show that about 70% of the electorates are in favour of Pakistan in the former and about 66% in the latter. Polling has commenced in the remaining four districts yesterday. The Red Shirts wanted to create trouble and disorders during the polling but elaborate arrangements by the Police and Military have unnerved them. They, however, attacked a lorry of Muslim Leaguers near Chagri Matti under Mathra Police Station in Peshawar District yesterday and injured one Muslim Leaguer by a bullet. The Referendum Commissioner,¹⁰ the Governor and the Military all ran to the spot and large reinforcements have been sent to the place. This is one of the few strongholds of the Red Shirts in the Province. It is only in a few places in Charsadda Tehsil in Peshawar and a few places in Swabi Tehsil of Mardan District that these people can create trouble. We hope, however, to meet it courageously.

Yours sincerely,
I. I. CHUNDRIGAR

¹Lt. Gen. Rob Lockhart, Acting Governor, NWFP.

²See Annex I.

³Annex II.

⁴Abdul Qaiyum Khan.

⁵See No. 367, note 1, Vol. I, Part I, 634.

⁶See No. 68.

⁷See Annex I.

⁸Lt. Gen. Frank Messervy.

⁹See Enclosure to Annex III for official results. For an account of the voting in "Muhammadan" rural constituencies of Mansehra North, Upper Pakhli and Lower Pakhli in Hazara District and D. I. Khan North, see the *Pakistan Times*, 8 July 1947.

¹⁰Brigadier J. R. Booth.

Annex I to No. 79
Rob Lockhart to Louis Mountbatten

IOR, R/3/1/165¹

TOP SECRET

No. GH-116

GOVERNMENT HOUSE, PESHAWAR,

9 July 1947

Dear Lord Mountbatten,

THE POST-REFERENDUM PROBLEM IN THE N.W.F.P.

1. I have been trying to foresee the situation which will arise after the declaration of the result of the Referendum, which should be on 19th July. There is little time left, and I must be clear as to what action I shall have to take. That action must of course have Your Excellency's approval.

2. The object, as I see it, is to ensure peaceful and orderly conditions in this Province until we hand over power on the "appointed day", and to hand over in such a way as to give the successor Government a fair and reasonable start.

3. Before outlining the courses open there are certain *factors*² I wish to mention:

I. REACTIONS TO A COALITION GOVERNMENT

a. It seems to me that a Coalition Government would offer the best prospects of achieving the object. I have had discussions, separately and privately, on the subject with Dr. Khan Sahib and Mr. Chundrigar. I put the various alternatives which I list in para 4 below to each of them. I mention their specific reactions to these points later, in the appropriate sub-paras of para 4. Here I deal only with the general reactions of Dr. Khan Sahib and Mr. Chundrigar to the idea of a Coalition Government to cover the period between the announcement of the result of the Referendum and either the appointed day or the holding of a General Election under the new Pakistan Constitution.

b. Dr. Khan Sahib when I first put the problem to him on 5th July was emphatic that there could be no question of a Coalition. His party could never work with the Muslim League. On 7th July, however, while declaring that he himself could never participate in a Ministry which stood for Pakistan, he said that he would not rule out the possibility of some of his colleagues being willing to take their place in a temporary Coalition Ministry on the grounds that Pakistan was temporarily inevitable, i.e. they would perhaps accept portfolios until a new General Election was held.

He did however say that, should there be a clear vote in favour of Pakistan, he himself would certainly resign and thought that

his colleagues would too, though he could not say for certain what the decision of the party would be.

I am not sure what he would regard as a "clear vote". I am however informed that he told a press representative that he would regard a vote of 31% of the electorate in favour of Pakistan as decisive.

Apropos of this about 65% of the electorate voted at the last election. Voting in the Referendum has so far been heavy.³

c. Mr. Chundrigar, whom I also saw in private, later, on 7th July, and again on 8th July, was adamant that there could be no Coalition Government unless the Congress Party accepted Pakistan, a contingency which he regarded as impossible. He said that the real object of the present Ministry and the Congress Party in general was to sabotage Pakistan. On no account, he said, should the present Ministry be allowed to remain in office after the Referendum; otherwise they would squander the Province's finances, stir up trouble through Ipi, with whom they were in close touch, and generally create such chaos that the Muslim League, when they took over on the appointed day, would be faced with an impossible situation. I think he exaggerates the risks of Ipi's interference. It may be that Ipi is in touch with Congress, but his influence extends only over a portion of the tribes.

Incidentally the chaos Mr. Chundrigar fears would equally result from any violent reaction of the Muslim League to the results of the Referendum or the action taken after it.

Mr. Chundrigar repeated what Firoz Khan Noon had said to me, namely that after "the appointed day" Jinnah would appoint a Government to rule the Province until new elections were held. I fear that the League may have totalitarian ideas and intend to victimise their opponents.

II. FUTURE POLICY OF EACH PARTY

[Omitted]⁴

III. ARMS AND THE PRIVATE ARMIES

a. The prospects of future peace in the Province would be greatly improved if we could restore enforcement of the Arms Act and disband the four private armies—Red Shirts, Zalme Pakhtoon, League National Guards and Ghazi Pakhtoon.

b. To take the arms problem first. Both sides have many arms, a large proportion of them unlicensed. These arms have been bought at considerable expense by the owners. They would hate to have to give them up. To enforce the Arms Act would therefore be likely to require a definite plan involving the employment of a considerable number of police and soldiers, and possibly taking 2 or 3 months to complete.

I should like very much to do it, but my advisers, including the GOC, Peshawar Area,⁵ but with the exception of my Inspector-General of Police⁶, are against it. They consider that we are not strong enough to carry out the necessary measures in the time available. An important factor in this regard is the coming re-shuffle of Army units and the possible reorganisation of their class composition. These steps will undoubtedly affect the efficiency and readiness of the Army. I feel therefore very reluctantly disposed to agree with the advice which has been given to me.

c. Much the same arguments apply to the private armies. In any case I think that we should have to wait until it was obvious that one or other private army intended to break the peace before we acted.

We must, I suggest, await developments before we can declare these "armies" unlawful associations or otherwise deal with them, whether piecemeal or together.

IV. GOVERNMENT UNDER SECTION 93

a. An obvious disadvantage of this will be that it will have to come to an end on the appointed day. This means that should Section 93 be invoked from, say, 20th July, there would not be a running governmental organisation to pass on to the successor Government on 15th August.

This is perhaps not vital, but is I consider obviously desirable.

On the other hand Government under Section 93 appears to offer certain advantages. The Congress Party if dismissed might more readily accept such Government in preference to a League Ministry, and the League would I think much prefer it to either a Coalition (of any sort) or to the Congress Ministry remaining in office until the appointed day. They would certainly expect to take over on that day.

b. There remains the question whether we would be able to exercise authority under Section 93. There is a risk that Congress would on dismissal resort to Civil Disobedience. I have just received a report that they are already considering it and collecting the names of Red Shirts who are prepared to "make any sacrifice". We might well be faced with a difficult situation. Our cadre of officials is very weak. A large proportion of the Services have Muslim League sympathies, and might not be staunch. There is therefore a risk that we should have more on our hands than we could cope with, and would either have to retreat or resort to martial law.

Nevertheless I believe that if the present Ministry has to be dismissed, Government under Section 93 until the appointed day offers the best prospect of success.

V. THE TRIBES

Unless the situation should deteriorate I believe the tribes will continue to hold their hand. Should the situation "go bad" then I fear they would appear wherever there was an opportunity for loot.

VI. [SUMMARY]⁷

To sum up the main factors are:

- a. The extremely slender prospects of forming a Coalition
- b. The future policy of each party
- c. The problem of arms and private armies
- d. The question of the desirability of Government under Section 93 and our ability to exercise it
- e. The possibility of tribal trouble

4. THE COURSES OPEN

i. The result of the Referendum may be such as to make it obvious that the bulk of the electorate is in favour of Pakistan. In that case Dr. Khan Sahib and his Ministry might resign, accept the defeat, go into opposition, and work constitutionally to win the General Election, which would presumably have to take place not long afterwards, on some policy different from that of the League's.

This of course would be the correct constitutional action. I would then call on the leader of the opposition to form a Government. Although he does not command a majority in the Provincial Assembly that body is not in session and would not normally be due to re-assemble until February 1948. I think therefore he could form a Ministry and carry on.

This would be the easiest and most desirable solution. I am however by no means sure that it will happen.

ii. The present Ministry might argue that the Referendum was either not a vote against their policy or had not been decisive. They could say that they had not voted; that they had never wanted to join Hindustan, so the real issue at stake had never been put to the electorate, and so on. They would then not offer to resign.

If I allowed the present Ministry to continue in office the League would I am sure be furious. They would argue that the Referendum had clearly shown that the people supported their policy and to allow the present Ministry to remain in office, even if only till the appointed day, would only give them more time to sabotage the League's chances and to prepare for some form of non-co-operation. They themselves might therefore well resort to non-co-operation, probably in violent form.

Unless Mr. Jinnah could be persuaded to induce the League to hold its hand until "the appointed day" and agree to Dr. Khan Sahib's Ministry remaining in office until that day I do not see how it will be possible to allow the present Ministry to continue in office. It will therefore have to be replaced by some other form of Government.

iii. The first alternative would then be to dismiss it and put in a League Ministry or form a Coalition Government or govern under Section 93. Dismissal would probably produce a strong and probably violent Congress reaction. The Red Shirts are well disciplined. The majority of them would in all probability respond to a call for a campaign of any sort.

Dismissal I should if possible like to avoid, but may be compelled to resort to.

iv. The next alternative would be a League Ministry. This I believe would lead to violent reaction by Congress and the creation of a situation which I should like to avoid. League Government in some form will however be inevitable after the appointed day. Not to appoint a League Ministry at once might therefore only be to postpone their having to deal with active Congress resistance. On the other hand some other form of Government, even for only three weeks, might enable one to establish more favourable conditions for the League to take over in [sic] on 15th August.

v. A possible alternative would be a Coalition. I have explained in para 3 [I] (b) above how slender are the hopes of forming a Coalition. But I should like Your Excellency's authority to work for it. Would it be possible to induce Jinnah, Gandhi and Nehru to support the idea? Perhaps if you agree with the proposal Your Excellency would consider trying yet again to bring that difficult trio together.

vi. The last alternative I can suggest is Government under Section 93. It is, as I have stated above, possible that it might be more acceptable to both parties than any other, in spite of its disadvantages.

vii. Finally should Section 93 fail owing to non-co-operation by either or both parties or because of an outbreak of violence by one of them—probably the Congress—occurring immediately after the result of the Referendum is declared I see no solution but resort to Martial Law. The soldiers will not I think like it, but I see no alternative in the last resort.

viii. To sum up the alternatives are:

- a. A correct constitutional solution, i.e. resignation by the present Ministry and the formation of a League Ministry.
- b. Refusal by the present Ministry to resign, followed either by
 - i. dismissal and the formation of a League Ministry and probable trouble, or

- ii. the formation of a Coalition Ministry of which I do not altogether despair, but am not very sanguine,
- iii. dismissal and Government under Section 93,
- iv. Martial Law.

5. PLAN

I seek Your Excellency's permission, failing the constitutional solution, to work first for a Coalition Ministry and if that fails to dismiss the present Ministry and govern under Section 93. It will be necessary to maintain our present strength and degree of readiness in Armed Forces in both the settled districts and tribal territory.

In any case I request Your Excellency's guidance and instructions.⁸

6. I have not yet had an opportunity to discuss all this with Messervy. He is coming here on Thursday, 10th, and I will give him a copy of this letter and discuss it then, but I feel time is too short to allow of my any longer delaying sending this letter to you.

7. All this may sound like taking counsel of my fears, but I wish to avoid the charge that "the outlook of the leader on whose decision fateful events depend is usually far more sanguine than the brutal facts admit". I am however by no means without hope that there will be a constitutional change of Ministry.

Yours sincerely,
R. M. LOCKHART

¹No. 45, TP, XII, 52-8.

²Italicised in the original.

³See Annex II.

⁴See Appendix IV. 19.

⁵Lt. Gen. Ross McCay.

⁶John Shaw.

⁷Words appearing within square brackets except those under item 4(i) are an editorial addition.

⁸See Annexes IV and V for reply of Mountbatten and his discussion with Jinnah.

*Annex II to No. 79
Governor of NWFP to the Viceroy*

*IOR, R/3/1/151
[Extract]*

No. GH-135

23 July 1947

2. You will no doubt be writing to the Commander-in-Chief¹ to

thank him for making Army officers available, and perhaps you would consider suggesting to him that publicity should be given to your letter so that not only will the officers of the Referendum staff who have already dispersed know of your Excellency's appreciation, but also the whole Army. I feel this would have a beneficial effect, especially on British officers.

3. I do not suppose that your Excellency has had either the time or the material to analyse the Referendum results, or to compare them with the results of the last election, and the following figures may therefore be of interest.

A. GENERAL ELECTION 1946

Total Electorate	604,563
i. Total votes for Congress+Jami'yyat al-Ulama =26.53% of total electorate (including General and Sikh Constituencies, 7 of which were not contested)	160,229
ii. Muslim votes for Congress+Jami'yyat al-Ulama (included in (i)) =27.6% of Muslim electorate	145,119
iii. Total Muslim League votes =24.18% of total electorate, 27.8% of Muslim electorate	146,235

B. REFERENDUM 1947

Total Electorate	578,798
i. Total votes for Hindustan =.501% of electorate	2,874
ii. Total votes for Pakistan =50.49% of electorate	289,244

In nearly all Muhammadan constituencies the number of votes cast for Pakistan shows a large increase over those cast for the League candidates in the Election, and in so far as one can deduce party preference from the Referendum results the League would now command 28 seats in the Legislative Assembly against 16 commanded by Congress (including 12 Hindu and Sikh seats); 3 constituencies would be doubtful.

4. The Congress Party here, including the Premier, started some days ago a campaign of vilification of the conduct of the Referendum.

There must have been some bogus votes cast. But I do not believe that, having regard to the ethical standards prevailing in this Province, the conduct of the Referendum could have been better or fairer.

I shall be dealing with this subject in my comments² on Booth's report.

¹Field Marshal Claude Auchinleck.

²Annex VI.

*Annex III to No. 79**J. R. Booth to Private Secretary to the Viceroy**IOR, R/3/1/151*

No. 401/REFDM.

PESHAWAR,
20 July 1947

Sir,

I have the honour to send herewith a statement¹ showing the number of votes polled in the North-West Frontier Province during the Referendum and during the last General Election.²

I am now preparing a report on the Referendum and am closing down the office. It is hoped to have the Referendum Commission closed down by the evening of the 24th July, 1947.

I have the honour to be,

Sir,

Your most obedient servant,

J. R. BOOTH

*Brigadier**Referendum Commissioner, N.W.F.P.*¹Enclosure.²See Appendix XIII. 15, Vol. I, Part II, 625-6.*Enclosure to Annex III to No. 79**IOR, R/3/1/151*RESULTS OF REFERENDUM [1947 IN NWFP]¹

Constituency	Votes for Hindustan	% of total Electorate	Votes for Pakistan	% of total Electorate	Total valid votes cast	% of total Electorate
1	11 ²	12	13	14	15	16
I. <i>Genl. Constituencies</i>						
(i) <i>Urban</i>						
1. Peshawar Cantt.	2	-	84	1.81	86	1.81
2. Bannu Town	14	0.15	425	4.57	439	4.73
3. D. I. Khan Town	0	-	2	-	2	-
(ii) <i>Rural</i>						
4. Peshawar West	2	-	75	0.95	77	0.95
5. Peshawar East	0	-	0	-	-	-
6. Hazara		0	-	4	-	4
7. Kohat	1	-	96	2.34	97	2.34
8. Bannu	9	0.25	208	5.8	217	6.05
9. D. I. Khan	0	-	0	-	0	-
II. <i>Muhammudan Constituencies</i>						
(i) <i>Urban</i>						

10. Peshawar City (Dual Constituency)	189	0.63	18,769	62.71	18,958	63.4
11. N.W.F.P. Towns (ii) Rural	73	0.35	16,911	82.14	16,984	82.49
12. Tanawal	28	0.18	12,508	86.00	12,536	86.18
13. Abbottabad West	58	0.3	14,797	85.51	14,855	85.8
14. Abbottabad East	35	0.2	11,058	72.77	11,093	73.27
15. Haripur North	34	0.23	10,841	74.79	10,875	75.00
16. Haripur Central	68	0.45	11,814	78.22	11,882	78.8
17. Haripur South	29	0.40	6,181	83.9	6,210	84.3
18. Mansehra North	35	0.7	3,572	79.34	3,607	80.1
19. Upper Pakhli	42	0.9	6,182	79.19	6,224	80.1
20. Lower Pakhli	56	0.4	6,334	47.06	6,390	47.4
21. Bara Mohmands	72	0.54	7,329	55.16	7,401	56.7
22. Khalil	60	0.64	4,302	45.95	4,362	46.6
23. Hashtnagar North	150	1.61	3,347	36.82	3,497	37.5
24. Hashtnagar South ³						
25. Doaba Daudzai						
26. Nowshera South						
27. Nowshera North	66	0.39	8,126	48.46	8,192	48.9
28. Baizai	206	1.08	9,296	49.11	9,502	50.2
29. Kamalzai	602	2.40	11,480	45.78	12,082	48.2
30. Utmannamma	53	0.40	4,864	36.94	4,917	37.5
31. Razzar	80	0.61	3,466	26.61	3,546	27.3
32. Amazai	269	1.62	5,746	34.04	6,015	36.27
33. Hangu	19	0.12	10,217	58.69	10,236	58.8
34. Kohat	32	0.26	7,834	63.52	7,866	63.8
35. Teri South	49	0.36	9,205	67.14	9,254	67.5
36. Teri North	16	0.19	4,981	58.80	[4,997]	59.0
37. Bannu East	25	0.20	6,752	54.35	6,777	54.6
38. Bannu West	42	0.42	5,364	53.86	5,406	54.3
39. Lakki East	52	0.31	10,120	60.46	10,172	60.75
40. Lakki West	26	.217[.22]	10,901	91.16	10,927	91.3
41. Tank	43	0.30	8,581	58.72	[8,624]	59.00
42. Kulachi	29	0.27	6,451	60.21	6,480	60.6
43. D.I.K[han] South	47	0.46	7,428	77.94	7,475	78.4
44. D.I.K[han] North	39	0.36	6,873	68.41	6,912	63.78
III Sikh Constituencies						
Rural						
45. Southern Districts	0	0	0	0	0	0
46. Peshawar	0	0	0	0	0	0
47. Hazara-Mardan	0	0	0	0	0	0
IV Landholders						
48. Peshawar	No Polling					
49. N.W.F.P.	No Polling					

Total Electorate for General Election, 1946 ... 604,563

Total valid votes polled for Congress and

Jami'yyat al-Ulama... 160,229

Total valid votes polled for Muslim League.. 146,235 = 0.501% of total

Total number of valid votes polled (all parties)... 375,989=68% of total Electorate

Total Electorate for Referendum ...572,798

Total valid votes polled for the
existing Constituent Assembly ...2,874=.05% of total Electorate

Total valid votes polled for the new Constituent Assembly...289,244=50.49% of total Electorate

Total valid votes polled ...292,118=50.99% of total Electorate

¹Some of the figures in the following table are not correct.

²Columns 2 to 10 dealing with results of General Elections, 1946, omitted. For details see Appendix XIII. 15, Vol. I, Part II, 625-6.

³Constituency Nos. 24, 25 and 26 with their results not mentioned in the original.

Annex IV to No. 79
Louis Mountbatten to Rob Lockhart

R /3/1/165¹

No. 1446/3

14 July 1947

My dear Lockhart,

Thank you for your letter No. GH-116 of the 9th July² with its full account of the various possible developments which might take place after the announcement of the Referendum.

2. The whole context of this has now been altered by the fact that Jinnah will be Governor-General of Pakistan,³ and secondly because I intend to reconstitute the Central Government immediately the Bill is through Parliament. The result of this will be that I shall have a Pakistan Cabinet to deal with Pakistan affairs, and it will be up to them to advise what action is to be taken in the N.W.F.P.

3. I discussed the matter with Jinnah yesterday,⁴ whose first reaction was to favour dismissal of the Ministry and Section 93. We discussed a possible minority Muslim League Ministry and finally I impressed on him that I would ask the advice of my Pakistan Executive Council in due course, and was most averse to going into Section 93.

4. I am very glad that the Referendum is going so smoothly; please thank Booth⁵ and his officers for their good work, and I am sure that you yourself deserve a good deal of credit.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 101, TP, XII, 145-6.

²Annex I.

³No. 25.

⁴Annex V.

⁵Referendum Commissioner, NWFP.

Annex V to No. 79
Record of Interview between Louis Mountbatten and M. A. Jinnah
Mountbatten Papers, Viceroy's Interview No. 162
[Extract]¹

12 July 1947, 6-7.50 p.m.

Finally, I discussed the position in the N.W.F.P. Mr. Jinnah was jubilant. He pointed out that whereas in the last election only 62% of the electorate went to the poll, and that Dr. Khan Sahib had said to newspaper correspondents that anything over 31% would be regarded as a Muslim League victory, he now believed that they might get as much as 75%. I

asked him what he suggested I should do on the 21st July, when the result of the referendum was announced. Mr. Jinnah said he had not yet given the matter any thought, but favoured a dismissal of the Ministry and Section 93. I told him I was dead against Section 93, which would merely get the British in [the] wrong during the last four weeks of power. Mr. Jinnah asked me if I would be prepared to put a Muslim League Ministry in power, and on my saying "Yes", he commented "But how can we stay in power if we have not got a majority in the Legislative Assembly?"

I pointed out that the Legislative Assembly had not been called and was not due to be called in the near future and that after 15th August the matter could be referred to the Pakistan Constituent Assembly which would then be the legislature for the Dominion.

Finally, I said I was not prepared to dismiss Dr. Khan Sahib's Ministry if they refused to resign, or to form a Muslim League Ministry except on the advice of my Cabinet or Executive Council for Pakistan. I pointed out how fortunate it was for Mr. Jinnah that I intended to form such a body on the 18th July, since otherwise he might well find Dr. Khan Sahib's Ministry remaining in power until the 15th August.

¹No. 82, TP, XII, 123-4. Also see Appendix V.2.

Annex VI to No. 79

Rob Lockhart to Louis Mountbatten

IOR, R/3/1/151

[Extract]

No. GH-137

PESHAWAR,
25 July 1947

Your Excellency,

I have the honour to forward herewith (in duplicate) the report¹ submitted by Brigadier J. R. Booth, D.S.O., on the Referendum which he, under Your Excellency's orders, organised and conducted in this Province.

[Para 2 omitted]

3. The result of the Referendum² has already been reported briefly to Your Excellency, but I would invite a reference to the detailed results contained in Appendix "E"³ at the end of the report, where they have been compared with the results of the General Election[s] of 1946.⁴

A brief study of these figures will show how substantial has been the swing of public opinion in favour of the Muslim League since the

General Elections⁴ were held. The total number of valid votes polled in favour of the new Constituent Assembly is nearly double the total number of valid votes polled for Muslim League candidates in the General Elections of 1946, and the percentage of the total Electorate which has now voted for the new Constituent Assembly is not far short of double the percentage of the total electorate which voted in 1946 in favour of Congress candidates or candidates belonging to the allied Jami'yyat al-Ulama organisation.

4. Brigadier Booth has dealt in his report with the Congress protestations on the platform and in the press that a large proportion of bogus votes were cast in the Referendum and that the Referendum was not fairly conducted. I was able, during the Referendum, to visit a number of polling stations myself in the Peshawar and Mardan Districts, and I was, of course, in constant touch not only with the Referendum Staff and the District Offices, but also with the leaders of both parties. I am fully satisfied that not only was the Referendum conducted in an entirely impartial manner and that the charges made against Brigadier Booth and the officers working under him are frivolous and without foundation but that the Referendum was conducted with an efficiency and fairness which has probably not been previously equalled in *this Province*.⁵

I have no doubt that a number of bogus votes were, in fact, cast in favour of a new Constituent Assembly, but the number was not sufficiently large to have any material effect upon the result. Moreover the casting of bogus votes was greatly facilitated by failure of the Congress Party itself to provide agents at all the polling stations. Indeed I am forced to the conclusion that during the latter part of the Referendum proceedings the Congress Party preferred the policy of making delayed and sweeping allegations about malpractices to that of assisting the Referendum staff by appointing co-operative and intelligent Congress agents at the polling stations.

[Paras 5 and 6 omitted]

I have the honour to be,

Your Excellency's most obedient servant,

R.M.M. LOCKHART

Lieut. General

Governor,

North-West Frontier Province

¹Not available in QAP.

²Enclosure to Annex III.

³Not available in QAP.

⁴See Appendix XIII.15, Vol. I, Part II, 625-6.

⁵Underlined in the original.

80

Mirza Ahmed Ispahani to M. A. Jinnah

F. 310/63

51 EZRA STREET, CALCUTTA,
9 July 1947

My dear Mr. Jinnah,

I have sent you a telegram reading as follows:

"According to our estimates based on information received from polling centres expect *Insha'Allah* winning Sylhet Referendum stop imperative you kindly take steps ensuring clean counting votes stop please remit"

Mr. Moazamuddin Hossain¹ stayed there right through the Referendum² and returned yesterday evening by air. His report I have telegraphed³ to you. He gives a figure of roughly winning the Referendum by about 25,000 votes.⁴ The others give the figure more like 40,000 votes. There were 30,000 workers in Sylhet from Bengal and Assam. Although we started very late, but by the grace of God we have done the best we could. The Hindu organisation was far better owing to their larger resources. The Musalman has again responded to the call.

I shall be grateful if you will kindly remit to me Rs. 50,000 within which I sincerely hope to finish the payment of outstandings. Very soon my Committee will make up [*sic*] accounts and send you the same.

With kind regards,

Yours sincerely,
M. AHMED ISPAHANI

¹Minister for Revenue and Education, Bengal, 1946-47.

²A Committee was constituted by Jinnah for the Referendum comprising Mirza Ahmed Ispahani, Moazamuddin Hossain and A.W. Baakza. See No. 268, Vol. II, 521.

³Not available in QAP.

⁴In the Referendum 239,619 persons voted for joining East Bengal as against 184,041 for remaining in Assam. See No. 92, TP, XII, 138.

81

Abdul Qaiyum Khan to M. A. Jinnah

F. 324/18-21

PESHAWAR,
9 July 1947

Respected Quaid-i-Azam,

Mr. Chundrigar who is flying to N[ew] Delhi, has kindly agreed to deliver this. I have often discussed with him the likely developments here in the immediate future. He will give you his own impressions. My impressions are these:

1. The majority view in the Congress Party is that even if the Referendum goes against them, they should not resign. They prefer to be pushed out by the Governor. Some would even like to hang on till the 14th of Aug[ust].
2. Congress is bent on mischief. They are [in] league with Kabul. They are trying in conjunction with Kabul to rouse the tribes against us. Faqir of Ipi is a tool of the Hindus. He gets money from them and is now supporting Pathanistan. He may even use force. He must be watched. He has a following in [sic for among] the Wazirs. We have the Mahsuds on our side and also a section of the Wazirs. Kabul and Ipi are trying to incite the Afridis. The Afridis must be closely watched.
3. The British must ask Kabul to behave and Kabul must be told that they should give up inciting the tribes.
4. The Political Dep[artmen]t must be on the alert and watch every move in the tribal area.
5. If we win the Referendum, as *Insha'Allah* we will, Ghaffar and his men should be told clearly that their separatist move will not be tolerated, but will be put down with a heavy hand. Once they are out of power many of their followers will melt away. We should be ready to deport about 20 top-ranking Red Shirts from the Province, should their attitude necessitate such action. At the same time we must take back village defence rifles now in possession of the Red Shirts.
6. The only areas likely to give trouble are the three constituencies of North and South Hashtnagar (i.e. Charsadda) and Doaba Daudzai of Peshawar Tehsil. In Mardan the area likely to give

trouble is the Swabi Tehsil and the Sudam tract of the Mardan Tehsil.

7. Frontier is a comparatively different proposition. It has got to be handled wisely and may be sternly in certain areas.

8. Kurram and Malakand Agencies are likely to join this Province. The States of Chitral, Dir, Swat and Amb will also join Pakistan.

Afridis have got to be watched, if Afghanistan persists in her attitude. Ipi and the Wazirs must be kept under close observation.

I have been working under great strain, both physical and mental for the last eight months. I should like to proceed to Kashmir, where my family is, on the 17th for a brief respite. I hope, I have your permission for being absent for a week. Mr. Chundrigar is flying back on the 12th. Reply may be sent through him.

Yours sincerely,
ABDUL QAIYUM

PS. We have three points for Kabul:

1. A hint that Amanullah¹ may stage a come back through Pakistan.
2. There are vast non-Afghan areas in Afghanistan, i.e. peopled by Tajiks, Turkmans, etc. They should have the right of self-determination.
3. Afghanistan must become a democratic Republic, before it can even think of some sort of union with Pakistan.

These three points will unnerve the present ruling family in Kabul.
A. QAIYUM

¹Amir Amanullah Khan, King of Afghanistan, deposed in 1929.

82

M. N. Kotwal to M. A. Jinnah

F. 910/334-5

JEHANGIR KOTHARI BUILDING,
BUNDER ROAD, KARACHI,
9 July 1947

Dear Mr. Jinnah,

I was out of Karachi in the month of June during the summer

vacation and my office was in receipt of your letter dated the 1st June¹ and the telegram dated the 21st June.² On the 25th June a reply telegram³ was sent to you the contents whereof I hereby confirm as under:

Received wire. Completing sale after obtaining Court sanction.
Kotwal Advocate.

As regards your query, I reproduce hereunder para 1 of my letter to you dated the 27th February 1947⁴ viz.:

It is a Municipal leasehold plot⁵ held under a Lease for the term of 99 years commencing from 22nd June 1920 and renewable in perpetuity for the like term as per the information received by us from the Karachi Municipal Corporation subject to the revision of the present land rent of Rs. 67-7-0 payable yearly after the expiry of the term of 99 years commencing from 22nd June 1920 as aforesaid.

On the day the Sale Deed is executed, the Vendor Mrs. Perin Kapadia will sign an attornment letter addressed to the tenants, the D.A.D. Lands and Hirings who pay the rent bill in respect of the occupation of the premises by the Military personnel and they will then confirm the contents thereof. The guardianship application pending in Court was called yesterday before the Registrar O.S. [Original Side] and it is expected that the orders thereon will be obtained in chambers on the 15th inst[ant]. You will please therefore forward to us a crossed bank draft by the 15th inst[ant] to cover Rs. 135,000 the balance purchase money, Rs. 1,500 the brokerage amount and Rs. 4,950 approximately against the stamp duty and registration charges.

Yours sincerely,

M. N. KOTWAL

B.A., LL.B.

Solicitor, Advocate & Notary Public

^{1,2 & 3}Not available in QAP.

⁴Appendix I. 8, Vol. II, 719.

⁵Refers to plot carrying Survey No. 1, Frere Town Quarter, Karachi.

83

S. M. A. Majeed to M. A. Jinnah

F. 9/1

DISTRICT MUSLIM LEAGUE,
KHULNA (BENGAL),
9 July 1947

Dear Quaid-i-Azam,

I am sending herewith a copy of memorandum dealing with the case of Khulna for inclusion in Eastern Pakistan, for your kind perusal. The census operation of 1941 and all the previous census were conducted on Union basis. A copy of Union-*wari* [*sic* for wise] census figure[s] of 1941 of Khulna District and a map¹ showing Khulna's position in the Gangetic delta are also enclosed herewith.

Khulna is the richest district from the point of view of agriculture and has got the highest surplus production of food in the whole Province of Bengal. The forest wealth, the coastline of the district will be indispensable for the existence of Eastern Pakistan. Out of 3 sub-divisions of the district two are Muslim and one is Hindu which [*is*] also only a closed pocket surrounded by Muslim majority areas on all sides. The two Muslim majority sub-divisions of the district have got contiguity with Muslim majority Districts of Faridpur, Jessore and Bakarganj of East Bengal while the Hindu majority sub-division has got no such contiguity with any area of West Bengal. The case of Khulna is the strongest one and we feel sure and safe to place it in your hands for favour of putting it before the highest authority.

With best regards,

Yours sincerely,
S. M. A. MAJEED
B.A.
Secretary, District ML,
and
Secretary, Facts Finding
Committee

¹See F. 9/22, QAP. Not printed.

Enclosure to No. 83

F. 9/2-21

KHULNA,
24 June 1947

EASTERN PAKISTAN AND KHULNA

INTRODUCTION

The idea of Pakistan originated from a desire of creating a homeland for the Muslims of this vast Indian subcontinent. After much struggle and sacrifice, Muslims, through the able leadership of their Quaid-i-Azam, have achieved Pakistan in principle, and to some extent, also in fact. The bogey of Indian unity has been exploded. We are grateful to Lord Mountbatten for the realistic approach he has made to this vexed political problem which is otherwise so simple but made so complex by the successive mishandling of the situation. But we are really aggrieved to see that he has so hastily agreed to a partition of the Punjab and Bengal. For providing a homeland for 18% Sikhs of East Punjab, 35% Muslims have been separated from their own kith and kin of the contiguous West Punjab. We may try to forget this injustice done to Punjab Muslims out of regard for a right of self-determination of the Sikhs. It will be a matter for future historians to say whether this right of self-determination has at all been conceded to them by the Congress. We accept the division of the Punjab in the hope that the territorial claims of the Western Pakistan will get due consideration at the hands of the Boundary Commission. But what pains us most is the partition of Bengal and the proposed manner of its execution. In proposing this partition, an uncalled for anxiety, for providing a homeland for the Hindus who have got plenty of it in the vast Hindu majority provinces of Bihar, Orissa, U.P., Madras, Bombay and numerous native States, has been shown by the British Government. Perhaps through this unnatural haste, they could not see that the balance of distribution of Hindu and Muslim population in Hindustan and Pakistan States, has been seriously disturbed. We shall be having more Muslims in Hindustan than we are having Hindus in Pakistan.

There is no instance in world history to show that a purely paper movement like that of Bengal partition, [launched by] the Caste Hindu press [and] encouraged by non-Bengalees, ever achieved success within so short a period. Success in this case was rather thrust upon them. It came about no sooner than it was asked for. The Caste Hindu press

raised the cry of Bengal partition to teach the Musalmans a good lesson, just to coerce them to join the Indian Union. Neither the real leaders of Hindu Bengal nor the Hindu masses joined the chorus. But still we find to our anxiety, anguish and bewilderment, that Bengal partition has come to stay. When this has become a settled fact, however much we deplore, we cannot undo it on its broader principles unless there prevails a good sense all round. With this painful background of a shattered Bengal where division has been proposed without any consideration for linguistic, cultural, strategic and economic aspects of the problem which is so vitally connected with the broader issue of creation of Pakistan and Hindustan States in India, we look up to the Boundary Commission for redress of some of our vital grievances regarding the fixation of south-western boundary of Eastern Pakistan. We are to remember at the outset that partition of Bengal should not be looked at as an isolated phenomenon but must be considered in its all-Indian perspective of Hindustan and Pakistan problems. The theory of district-wise distribution of territorial jurisdiction should not blur our vision. We should keep various other factors in view so that the boundary lines of Hindustan and Pakistan States are based on sound principles of economic self-sufficiency, defence and geographical considerations. In this memorandum we propose to deal with the question of south-western boundary of Eastern Pakistan with a special reference to facts about Khulna District.

HISTORY

The District of Khulna was formed in June 1882 out of two subdivisions namely Khulna and Bagerhat of Jessore District and one subdivision namely Satkhira of the 24-Parganas. Later, in the early part of this century, some parts of Bakarganj were also added to it. Thus we see that the major parts of the district came from the adjoining Districts of Jessore and Bakarganj of Pakistan Zone. At the time of redistribution of provincial boundaries under June 3 Plan,¹ it is but natural that the district which only a few decades back was in Pakistan Zone should go back there and not to Hindustan. Any action other than placing Khulna in Eastern Pakistan will be arbitrary and unnatural.

PEER KHAN JAHAN ALI

If we go further back in history, we find that this part of the lower Gangetic delta, which we now call Khulna was covered with forest. It was [*sic* for were] the Muslims who cleared up jungles on an extensive scale and brought it under human habitation. They lived there and cultivated the land. Their leader Peer Khan Jahan Ali constructed

roads, built towns, established mosques, excavated big tanks and spread Islamic civilisation and culture on this virgin soil. The oldest road of the district goes to the credit of this Muslim saint and Governor of Southern Bengal. This road runs along the Bhairab.² Peer Khan Jahan Ali ruled over southern Bengal for a considerable period in the 15th century. The *Shait Gombuz* [sic for *Saat Gumbad*], the Khan Jahan Ali tomb, the numerous mosques, tanks and roads, spread all over the Districts of Jessore and Khulna, have stood the test of time and speak eloquently of Muslim toil for making this land fit for human habitation and a seat of culture and civilisation. Muslims from all over the province pay homage to the tomb of Peer Khan Jahan Ali periodically and during the full moon in the month of *Chaitra* every year. Thousands of Muslim pilgrims visit the holy places in and around *Shait Gombuz*.

A few relevant lines from the *District Gazetteer, Khulna*,³ are quoted below for reference.

The earliest traditions of the district are connected not with any ancient Bud[d]hist or Hindu kingdom but with a Mohammadan called Khan Jahan Ali or more generally Khanja Ali. Local legend relates that he came here over four centuries ago to reclaim and cultivate the Sundarbans which were then waste and covered with forest.⁴

A bit later in history, Alauddin's town (Alaipur in P[olice] S[tation] Khulna) and Khalifatabad consisting of the present Bagerhat town and the vast adjoining areas, grew important by having personal associations with Alauddin Husain Shah and Nasarat Shah. Chandpur near Alaipur was the home of the Husain Dynasty of Bengal Kings.⁵

PHYSICAL FEATURES

Coming to consider the physiography of the land, we find that Khulna is a part of big Gangetic delta which contains 6 other districts namely Murshidabad, Nadia, Jessore, Faridpur, Bakarganj and 24-Parganas. Geologically all the seven districts have got a common origin. They are the result of the land building processes of the mighty rivers of the Ganges system.⁶ In the upper and naturally the older belt, the deltaic formation is complete, while in the lower, the process still continues. Very naturally the component parts of this vast deltaic region are interdependent and they cannot be separated, one from the other, without committing a crime against nature. All the districts of the deltaic block except Khulna and 24-Parganas have been included into Eastern Pakistan. The simple arithmetic of an imperfect and inaccurate census cannot and should not be allowed to break this geographical and geological unity. Should this geographical unit

be broken, it will create, apart from the problems of strategy, defence and communications, a hundred other issues connected with the social, economic and cultural life even of the common man.

It is therefore urged that Khulna and 24-Parganas should not be snatched away forcibly from the Pakistan Zone where nature has allotted their seat [*sic*].

Another salient feature of the geography of the Districts of 24-Parganas, Khulna, Jessore and Faridpur is that a long chain of *beels* forming part of a depression, extends over a part of the 24-Parganas and Khulna on one side and south-east Jessore and Faridpur on the other.⁷ This chain of *beels* is almost continuous and is inseparable from the land system of the districts. It is, therefore, evident that none of the districts can be separated from the other without seriously disturbing the natural arrangement and physical disposition of the flora and fauna and their importance in the rural economy of the adjoining areas. Cultivators with their plough and fishermen with their nets from the contiguous Districts of Jessore, Faridpur, Khulna and 24-Parganas work together in some part or other of these *beel* areas, come in constant touch in their daily occupation and earn their daily bread. Now if they are told that for going to their fields and fishing tanks and pools, they would require a passport and have to cross the barrier of currency and exchange, they, without knowing the real issue, will simply curse their lots and slowly die out.

AREA AND POPULATION

The District of Khulna is bounded by Jessore on the north, Bay of Bengal on the south, Faridpur and Bakarganj on the east and the 24-Parganas on the west. Thus we see that out of the four adjoining districts, 3 belong to the Pakistan Zone. So there is no logic in Khulna being left out. The area of the district is 4,805 square miles of which 2,314 square miles are reserved forest. If we follow the map⁸ a bit closely, we find that Khulna has got a complete natural boundary only in the south. In the north, east, and west the district is interlocked in places with the neighbouring Districts of Jessore, Bakarganj and 24-Parganas by land masses. The position does not matter much when districts interlocked with each other remain within the same State. But at the time of fixing boundaries of States, such interlocking of lands should be avoided as far as practicable. If we take Baleswar and Kacha Rivers beyond Morrelganj P.S. in the east and Ichamati River beyond Satkhira and Kalaroa P. S. in the west, we get natural boundaries for the east and west of the district but we do not get such a natural boundary for the entire northern limits.

Khulna has got three sub-divisions under it, namely (1) Bagerhat (2) Sadar and (3) Satkhira. All the sub-divisions run length-wise from north to south. Bagerhat lies in the east, Sadar in the centre and Satkhira in the west. The following table will show areas and distribution of population in the sub-divisions according to Castes as per Census of 1941:

Name of Sub-Division	Areas		Muslims	Hindus			Total Hindus	Total population including Others
				Scheduled Caste	Caste not recorded	Other Hindus		
Bagerhat	790	sq. miles	3,29,310	1,62,735	48,202	69,914	2,80,551	6,12,490
Sadar	812	sq. miles	2,60,869	1,67,383	60,019	1,39,465	3,66,867	6,29,418
Satkhira	889	sq. miles	3,64,068	1,39,126	77,756	1,10,576	3,27,458	6,93,836
Sundarbans	2,314	sq. miles	4,925	1,306	309	902	2,517	7,474

Even if we accept 1941 Census as correct it becomes clear from the above table that out of the three sub-divisions of the district, Muslims are in majority in two, viz. Bagerhat in the east and Satkhira in the west. Only Sadar sub-division has got a Hindu majority, but here also there is a substantial part of Hindu population namely Scheduled Castes who are in favour of remaining within Eastern Pakistan on various grounds, particularly on the ground that they will be in a position to continue their unity with their own kith and kin only in the Pakistan areas.

KHULNA SADAR SUB-DIVISION A POCKET

Khulna Sadar sub-division is bounded by Muslim majority Narail and Sadar sub-divisions of Jessore District on the north, Muslim majority Satkhira sub-division on the west, Muslim majority Bagerhat sub-division on the east, and Muslim majority Sundarbans on the south. Thus we find that the Sadar sub-division which claims a Hindu majority is encircled by Muslim areas from all sides—north, south, east and west. Assuming that these Muslim majority areas, viz. Satkhira, Bagerhat and Sundarbans will naturally go to Pakistan, the case of Khulna Sadar sub-division becomes untenable for her inclusion in Hindustan as it then becomes a closed pocket of Hindustan within the sovereign Pakistan State. This gives rise to complicated questions connected with defence and communications and cannot be accepted as sound principle of state boundaries. The creation of a pocket within another state brings danger in its chain. It weakens the pocket as well as the State. Muslims cannot allow 3 Muslim majority parts of the district to go to Hindustan, for deficiency in one part only when that one part also lies encircled by those three parts and other Muslim areas of Jessore District. It is simply absurd to suppose that Khulna

can go to Hindustan in spite of all these important and vital geographical considerations.

POPULATION IN RURAL AND URBAN AREAS

Besides, rural areas play the most important part in an agricultural country like Bengal. So any decision which affects the rural people should be studied with special reference to distribution of population in the rural and urban areas of the district. The following two tables will show distribution of population in the rural and urban areas of the district.

DISTRIBUTION OF POPULATION IN THE URBAN AREAS

Municipalities declared towns	Areas	Muslims	Hindus			Total Hindus	Total population including Others
			Scheduled Caste	Caste not recorded	Other Hindus		
Khulna	4.66 sq. miles	8,016	2,389	16,342	4,643	23,374	31,749
Satkhira	9.00 sq. miles	5,818	838	7,545	551	8,934	14,769
Debhata	5.00 sq. miles	1,209	850	1,187	3,039	5,076	6,286
Bagerhat Town	2.25 sq. miles	2,712	685	6,295	3,004	9,984	12,696
Total	20.91 sq. miles	17,755	4,762	31,369	11,237	47,368	65,500

DISTRIBUTION OF POPULATION IN THE RURAL AREAS

Name of Sub-Divn.	Muslims	Total Hindus	Total population (Rural)	Percentage of Muslim population in rural areas in proportion to Hindus
Bagerhat	3,26,598	2,70,867	5,97,465	54.66
Sadar	2,52,853	3,43,493	5,96,346	42.40
Satkhira	3,57,178	3,13,378	6,70,556	53.26
Total	9,36,629	9,27,738	18,64,367	50.23
Sundarbans	4,925	2,517	7,442	66.1

The urban areas form only 0.43% of the total area and their population form 3.3% of the total population of the district and these are negligible in comparison with the vast population of the rural areas. The population in the rural areas play the most important part in an agricultural district like Khulna. If we consider the character and composition of urban population of the district, we find that a substantial part of it consists not of the sons of the soil but aliens. These are the foreign elements in the urban population. The Hindu figures have been augmented by their inclusion. They are the Marwari merchants, Bihari coolies, Oria cooks and *malis* and other non-Bengalee employees of the Gov[ernmen]t, local bodies, and private persons. It should be noted in this connection that the census operation took place during the War period when there was an influx of population from outside

Bengal to Khulna which was the most important supply base of the Eastern Theatre of War. So the figure of urban population does not give us a picture of the indigenous population of the district. The ratio of areas and rural population of sub-divisions with total areas and total population of the sub-division are given below:

Name of the sub-division	Ratio of rural areas with the total area of the sub-division	Ratio of rural population with the total population of the sub-division
Bagerhat	99.71%	98.00%
Sadar	99.43%	95.00%
Satkhira	98.43%	97.00%
Sundarbans	100.00%	100.00%
District as a whole	99.75%	96.52%

UNION-WARI DISTRIBUTION OF POPULATION

In comparison with agriculture, large scale industry plays the most negligible part in the economy of the district. Wealth produced by industry bears no ratio with the vast agricultural and forest wealth of Khulna. When the position is this, the urban population, a substantial part of which consists of foreign Hindus and which takes no part in the production of wealth of the district, should not be allowed to have a decisive say in the matter whether Khulna should be included in Pakistan or Hindustan. With this background, let us also examine the territorial distribution of population in the rural areas. In the rural administration of Bengal, Union Boards are the most important units. They are the modern version of the older *Panchayat* Unions of antiquity. The activities of villages are centered round them. Apart from maintaining law and order by a handful force of regular police, *thanas* have ceased to have any administrative importance in the rural life of Bengal. By a process of decentralisation, Union Boards have got ample powers and they play the most important part in the administration of rural Bengal. Village self-government, debt conciliation, jute regulation, rural rationing, census operations, preparation of voters lists of Legislatures and local bodies, and many other Governmental activities affecting the rural people, are conducted with unions as their administrative units. With this knowledge in mind, let us examine the Union-wari distribution of population in the district. There are 200 Unions in Khulna.

The following table will show the number of Hindu and Muslim majority Unions sub-division by sub-division.⁹

Name of the sub-division	No. of Muslim majority Unions	No. of Hindu majority Unions	Total	Percentage of Muslim majority Unions in the sub-division
Bagerhat	40	27	67	59.67%
Sadar	28	34	62	45.00%
Satkhira	42	29	71	59.11%
Total	100	90	200	55.00%

The above table shows clearly that the Muslim majority unions form 55% of the total number of unions in the district, while the Hindu majority unions are only 45%. The percentages are, of course, particularly higher in favour of Muslims in Bagerhat and Satkhira sub-divisions. When the fate of Khulna District is going to be decided by the Boundary Commission, it is pertinent to point out that Khulna, which is preponderingly [*sic* for preponderantly] Muslim in regard to territorial distribution of population in the rural areas, cannot go to Hindustan.

CENSUS FIGURE WRONG

It is common knowledge that during the Census operation of 1941 a vigorous propaganda was started by the Hindu press inviting the attention of the Hindus to the importance of the census and they were indirectly asked to augment the figures. The result was that the Hindus who are the most politically conscious and educated people of the province, left no stone unturned to show an inflated figure of population. Muslims, illiterate as they are in the rural areas, were fully ignorant of the implications of the census and as such did not record their figures in many cases. The Hindu District Magistrate and the Hindu District Census Officer of the time, overlooked the excesses committed by the Hindu officials and Hindu public during the census. It is not the time to raise objections regarding the census but it has got to be noted that objections though raised [at the] proper time were not heeded to in most cases. A glaring instance of such excesses is found in the census figures of Unions in Dacope P.S. Anybody having a knowledge of this area knows it to be a Scheduled Caste and Muslim area. But under the Census of 1941 there are 41,113 other Hindus (Caste Hindus) in this P.S. This is an absurd figure. A reference to the number of Caste Hindu voters in this P.S. will clarify the matter. According to the Assembly voters list of the last election there are 236 Caste Hindu voters in this P.S. and this bears no ratio with the inflated figure of Caste Hindus shown in the census figure of 1941. That the census figure is false can be proved by verification even now. When important decisions are going to be taken regarding the fixation of state boundaries, such false figures of the census cannot be allowed to decide the fate of the Muslims of this district.

FOREST AND ITS POPULATION

Now coming to forest areas of the district, we find that it is the Muslims who take the major part in collecting fuel, timber, *Golpata*¹⁰ and other forest products and making them available at the door of consumers of the neighbouring Pakistan districts. It is they who, defying the rough and furious rivers of Sundarbans, enter the forest, fight with mosquitoes, snakes, tigers and crocodiles and working in an uncongenial environment and hostile atmosphere, collect fuel and building materials for their brethren in the upper plain. As per Census of 1941, 66.1% population of the forest are Muslims and the remaining 33.9% are non-Muslims. Of the latter figure again, a substantial part consists not of *Bawalis* (woodcutters) but of employees of the Forest Department. The reserved forest yields an annual income of Rs. 1,248,000. When the exploitation of the forest which is so irksome, hazardous and unpleasant, is done mostly by Muslims much to the benefit of the public and Government, it is but natural that the forest which is a Muslim majority area should go, together with the district, to Pakistan and not to Hindustan. Besides, from the revenue point of view Pakistan can ill-afford to lose this Muslim majority area yielding substantial income.

FOREST PRODUCTS

In this connection, if we consider the distribution of forest wealth on an all-India basis, we find that all the valuable forests with regard to area, quality and value of timber, fall within Hindustan State. Now, if whatever little forest of inferior quality we have got in the Sundarbans, does also go to Hindustan, it will bring tremendous consequences to the rural economy of Eastern Pakistan, specially in that of the Gangetic delta. Whoever looks at Khulna rivers, finds boat-loads of fuel, *Sundari*, *Goran* and *Pasur*¹¹ timber and *Golpata*, moving towards the north and east to Jessore, Faridpur, Bakarganj, Dacca and Tippera Districts. There is no coal in Pakistan. The importance of Sundarbans supplying fuel wood as a substitute of soft coke, will then be very great indeed. If by some artificial and arbitrary method, Khulna is included in Hindustan, the common man of the neighbouring districts will find it extremely difficult to procure these much needed forest products, nay, may not get them at all for his fuel use or for building his huts and boats. To guard against this contingency, it is essential that Khulna should be included in Eastern Pakistan.

COAST-LINE AND FOREST

Again if it is decided that Eastern Pakistan should get its due share in the coast-line of India under a distribution scheme based on justice

and fair play, the entire coast-line beginning from Haringhata in the east and Diamond Harbour on the west must fall within her borders. Naturally the entire Sundarbans which border the Bay of Bengal, should also be included in Pakistan.

FOREST AND RAINFALL

The importance of forests in the distribution of rainfall in the Gangetic delta, can hardly be measured. Rainfall is the most important factor in the agricultural system of the region. If Khulna with its Sundarbans is included in Hindustan, who knows that Hindustan State will not make a hostile move by following a policy of deforestation and deprive Pakistan of even distribution of rainfall which is so vitally necessary for the growth of her agriculture. To guard against this possibility also, Khulna with its forest should go to Pakistan.

GROWTH OF POPULATION AND RECLAMATION OF FOREST

The growth of population and its bearing on the reclamation of forest should be studied closely. It has been referred to above that delta building process is complete in the upper belt while it goes on in the lower. The Sundarbans lie in the lower belt of the delta. With the growth of population, when signs of over-population become visible in the upper region, people move further and further south, as delta building goes on southward with the accumulation of silt in the forest areas and beyond. The surplus population coming from the north clear up jungles and cultivate the fertile alluvion, and what was inhospitable jungle, becomes in one or two generations fields of paddy and homes of men. Thus we find that nature provides a home to the surplus population of the north, in the southern belt of Sundarbans of the same Gangetic delta. This natural process has been continuing from [times] immemorial and it still goes on, consistent with the limitations imposed by the Forest Department. It will, therefore, be unnatural to separate Khulna from the northern zones of the upper delta by creating artificial barriers of state boundaries.

AGRICULTURE

It has been pointed out above that Khulna is an agricultural district and paddy is its staple crop. Out of an area of 1,115,048 acres under crop, no less than 1,026,148 acres or 92% are under paddy cultivation. This gives us the highest proportion of land under paddy crops in the whole Province of Bengal. Khulna produces surplus food which feeds the deficit districts of the delta, as well as Dacca, Tippera and Noakhali District. She produces 6 times of her food requirements of paddy and finds a ready market in the neighbourhood for the surplus. In exchange

of food through normal trade channel, pulses from Faridpur and Jessore, pepper and *gur* from Jessore, milk products from Faridpur and Bakarganj go to the interior of the district to meet the requirements of her people. She also gets supplies of agricultural labour and plough cattle from the neighbouring districts of Pakistan Zone. During the harvesting season thousands of reapers come from the adjacent Districts of Jessore, Faridpur, and Bakarganj to harvest the crops which are ready for the sickle. A large number of people of Bakarganj, Faridpur and Jessore also own paddy lands in this district. It is, therefore, evident that Khulna and the neighbouring districts of Eastern Pakistan are interdependent from the point of view of exchange of essential goods and services. Hence it will be unnatural to isolate Khulna from the bordering Pakistan areas.

REVENUE

From the revenue point of view, Khulna is a surplus district. The main heads of revenues are as follows:

1. Land revenue	Rs.	933,300
2. Stamps and court fees	Rs.	1,152,568
3. Forest	Rs.	1,298,000
4. Agricultural income tax	Rs.	359,306
5. Income tax	Rs.	450,000
6. Central excise	Rs.	464,125
7. Bengal excise	Rs.	393,055
8. Commercial taxes	Rs.	450,000
9. Postal revenues	Rs.[details not available]	
10. Registration	Rs.	133,000

Under the existing scheme of partition of Bengal, the Pakistan area will be deficient from the points of view of revenue and finances but will have to administer a greater part of the population of the province. The Provincial Government of Eastern Pakistan with bigger burden and responsibilities, will find it extremely difficult to balance her budget. It is, therefore, equitable and just that Khulna which forms a natural part of Eastern Pakistan should go there with her surplus food and surplus income.

EDUCATION AND CULTURE

Khulna is closely associated with the name of Haji M[uhamma]d Mohsin who donated the whole of his property for the furtherance of the great cause of Muslim education in the province. Year after year his generosity in the shape of Syedpur Trust Estate has helped the poor Muslims slowly and steadily to get education. Many institutions have been kept

running by the aid of this fund, and many a meritorious boy whose fate would otherwise have been sealed due to poverty, has continued his studies with the help of the stipend given from the fund. No statistics can compute the loss the Muslims would incur in absence of the fund. Almost the whole property of this great benevolent Haji falls within the Districts of Khulna and Jessore. The *touzi*¹² No. 188 falls partly in Jessore and partly in Khulna but is administered from the Khulna Collectorate. The property yields an annual income of Rs. 291,000 a substantial part of which is devoted to the advancement of Muslim education in the province. Now if Khulna is included within Hindustan State, it will raise complications regarding management of the property and distribution of its income according to the intention of the donor.

The cultural heritage of the district is particularly Muslim. A land of forest and rivers, the District of Khulna owes the origin of its present state of prosperity and wealth to the indefatigable humanitarian labour of a Muslim spiritual guide, Khan Jahan Ali by name, the famous relics of whose stupendous work are still a standing attraction for numerous visitors and pilgrims from all over Bengal. The Muslims of the present day of the district are his posterity, both spiritual and physical. They cannot allow to pass the land their father gave real origin to, by the sweat of his brow, into the hands of others. Muslims must have their fatherland.

COMMUNICATION

Khulna is the most accessible district in the whole of the lower Gangetic delta from Pakistan Zone. Owing to the presence of a network of rivers and channels, and broad gauge and narrow gauge railway lines, in the district, the communication facilities, both internal and external, have increased manifold, resulting in a close contact with its adjoining Pakistan districts. The deltaic region of which reference has already been made is connected by a number of steamer and train routes. The Districts of Bakarganj, Faridpur, Jessore, Khulna and 24-Parganas form, to all intents and purposes, an inseparable communication zone. The following are the main lines of communication:

1. Khulna-Barisal steamer service
2. Khulna-Madaripur steamer service
3. Khulna-Narail steamer service
4. Khulna-Boalmari steamer service
5. Khulna-Satkhira steamer service
6. Khulna-Calcutta train service via Jessore

7. Khulna-Bagerhat railway line extended to Barisal by Bagerhat-Hoolarhat steamer service.

It is clear that all the lines of communication except No. 5 connect Khulna with the neighbouring districts of Pakistan Zone. Khulna has not and cannot have any independent line of communication with the Hindustan State. All these unmistakably signify that Khulna is a part and parcel of Eastern Pakistan, out of which its separation is unthinkable and fraught with dangerous dislocation of the communication system. The anomalies that will emerge, if the district is snatched out from its boundaries, are too numerous to be counted. A man, starting from Khulna for Calcutta, will have to cross the Pakistan boundaries twice in the course of his six hours' journey by train. The railway line connecting Khulna with Calcutta passes mainly through the Pakistan area. The great deltaic region has got no natural port other than Calcutta. There is a possibility of Khulna being developed into a first class inland port and naval base. The American dock constructed at Khulna during the war, bears testimony to this possibility. During the war Khulna was the supply base of the Eastern Theatre of War. The Provincial Civil Supplies Depot with storing capacity of 70,000 tons at Khulna, stocks the food grains ready for despatch to the deficit districts of East Bengal. The growing importance of Khulna from the points of view of communication and commerce can hardly be exaggerated. When developed, Khulna's port can serve the commercial and defence interests of Eastern Pakistan in general and the deltaic region in particular. When Eastern Pakistan has got such immense possibilities in Khulna, she cannot at this stage be separated from this geographical unit.

The boat routes of the district play no insignificant part in the communication system of the province. Huge quantities of foodstuffs and consumer goods are distributed all over East Bengal across these routes. The cargo boats carrying these goods to and from Calcutta are mainly manned by Muslim crew. Besides a good number of Muslims of Faridpur, Barisal and Dacca live on the vocation of plying boats from one place to another within this district. They are mainly responsible for maintaining the internal communication. Their demand to have their source of livelihood kept untouched, adds strength to the demand of Muslims of the district for her inclusion in the Pakistan Zone. Khulna is the nerve centre of the external and internal communication systems of the lower Gangetic delta and it is impossible to disconnect her from these systems.

ADMINISTRATIVE INTERDEPENDENCE

For administrative convenience Khulna is inter-linked with some of the neighbouring districts of the deltaic region. Khulna is jointly administered with Jessore by the Postal, Commercial Taxes, and Income Tax Departments with their headquarters at Khulna. The jurisdiction of the Agricultural Income Tax Department extends over Khulna, Jessore and Faridpur Districts consisting [*sic* for constituting] a unit. All the water transport and carrier companies having transport business in goods and passenger traffic in the Districts of Khulna, Jessore, Faridpur and Bakarganj, run their administration with headquarters at Barisal. All these facts go to prove how interdependent Khulna is in the matter of administration either [with] Government Departments or commercial companies. If Khulna is separated from these adjoining areas which belong to Pakistan, the administrative machinery will be rudely disturbed.

CONCLUSION

The 3 June Plan of His Majesty's Government has been accepted by all the main political parties of India. The Muslim League has however accepted it as a matter of compromise and hopes that the injustice done to the Muslim cause by partitioning Bengal and the Punjab will be substantially compensated by the Boundary Commission of the Provinces affected by partition. Our grievances are many and only some of them have been narrated above. We look up to the Boundary Commission with the fervent hope that our points of view will get due consideration at their hands. When it has been decided that India should be divided into Pakistan and Hindustan States, it is the responsibility of the Commission to fix such boundaries as should be short, strong, straight and natural. Other factors relating to distribution of economic resources, Governmental assets, lines of communication, coastlines, high seas and air [space] should also be taken into consideration. Khulna's position together with that of 24-Parganas in the lower belt of the great Gangetic delta is particularly important from the points of view of strategy and defence of Eastern Pakistan. The history, geography, distribution of population, natural resources, culture, communication, and administration of Khulna are so closely inter-linked with those of the neighbouring districts of the Pakistan Zone that she cannot be separated from this natural region. The common man of the district simply wonders when he hears that Khulna has been declared as a Muslim minority district and he is not going to have her in Pakistan, his cherished goal. He asks within [*sic*] himself, "Why is it so? I go to the fields, rivers and jungles, markets, courts, and

offices and find that most of the people who go there are Muslim[s]". He does not understand that the mischief was done much earlier by his more enlightened brethren professing other faith during the Census of 1941. He does not find any solution and his spirit revolts. The sentiment of the common man, the tiller of the soil of Khulna, should be respected and considered by those on whom the great responsibilities of shaping the State boundaries have fallen. These and many other considerations as stated above imbue us with strong hope that no injustice will be done to the Muslims of Khulna who produce the major part of the wealth of this district. We approach the Boundary Commission with the hope that Khulna together with 24-Parganas will be placed in Eastern Pakistan where nature has ordained their seat [sic]. This will, to a certain extent, atone for the territorial loss of Eastern Pakistan and give her a short, straight and natural boundary along the Hoogly on her south-western border. This is reason [sic] and let us pray that it will prevail. *Pakistan Zindabad*.

¹No. 1, Vol. II, 1-6.

²See L. R. Fawcus, *Final Report of Khulna Settlement*, para 28, 23.

³Edited by L. S. S. O'Mally.

⁴See *District Gazetteer, Khulna*, 26.

⁵Ibid. 28.

⁶See Fawcus, *District Settlement Report*, paras 3 & 55, 1 & 43.

⁷See A. K. Jameson, Director of Land Records, Bengal, to the Secretary to the Government of Bengal, Revenue Department, Memo. No. XXV/3-5785, 20 July 1927, para 3; *Khulna Settlement Report*, para 6, 4.

⁸Not printed. See F. 9/22, QAP.

⁹Underlined in the original.

¹⁰Tree having aromatic leaves.

¹¹Timber-bearing trees.

¹²Unit of revenue collection.

84

Manzar-i-Alam to M. A. Jinnah

F. 227/26

PERSONAL

ALL INDIA STATES MUSLIM LEAGUE,
OFFICE LIAISON, DELHI,

9 July 1947

My dear Mr. Jinnah,

Since 1936 I have adored you as my political leader and loved you more than my own parents. It has given me very great pain when I

learnt that you are angry with me. Although I do not know my errors and mistakes, but I deem it my duty to tender absolute, unqualified and unconditional apology for these errors and mistakes. I also assure you most solemnly that I have never dreamt of disobeying you in the past nor I have any such intention today. The information that I have annoyed you in any way has very much distressed me and I will have no peace of mind till you are kindly pleased to grant me an interview so that I may personally crave your indulgence and forgiveness.

I am leaving Delhi on the 12th of July for Cochin and Travancore and shall be back *Insha 'Allah* on the 21st of July. Therefore, I entreat you kindly to give me any date before the 12th or after the 21st of July.

Once again most humbly soliciting your generous indulgence and forgiveness and wishing you good health,

Yours sincerely,
MANZAR-I-ALAM

85

Louis Mountbatten to M. A. Jinnah

F. 1/205¹

No. 746/16

THE VICEROY'S HOUSE,
NEW DELHI,
9 July 1947

Dear Mr. Jinnah,

The Governor of Bihar² has reported to me that his Ministry is under considerable pressure to set up an enquiry committee into the Bihar riots³ of last November; and he has suggested to me that such a committee would not be in the best interests of the local Muslim minority.

2. I should, therefore, like to enlist your good offices in persuading the Bihar Muslim League not to press this demand. I am sure a committee of inquiry at this late stage, and in view of the present political developments, would be bound to cause more injury to Muslims of that province.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Also see No. 34, *TP*, XII, 33.

²Hugh Dow.

³The riots took place from 25 October to 7 November 1946.

86

*Note¹ by Cyril Radcliffe**F. 2/210**[9 July 1947]*

I think that the provisions of the Indian Independence Bill² (clauses 3 and 4) dealing with the "awards of Boundary Commissions" need clearing up.

The Bill, as drawn, does not say what is to be represented by an "award". We have to envisage not merely that it may have to be arrived at by a majority, dependent on the Chairman's casting vote, but that it may in fact consist of a series of decisions, some of them arrived at by a majority on one side, some by a majority on the other.

Unless there is something in the Bill covering this explicitly, I think that dissatisfied people might afterwards maintain that majority decisions did not amount to a valid award at all.

I suggest adding a new sub-clause to clauses 3 and 4 on these lines:

For this purpose the award of a Boundary Commission shall mean the (decision of)³ *the Chairman of*⁴ that Commission contained in his Report to the Governor-General at the conclusion of the Commission's proceedings.

CYRIL RADCLIFFE

¹Also see Case No. P.C. 26/4/47, No. 52, TP, XII, 63-4 and *The Partition of the Punjab 1947*, Vol. I, Lahore, 1983.

²Enclosure to No. 1.

³The words "recommendations of" were penned through and replaced by "decision of" probably by Jinnah.

⁴Underlined probably by Jinnah.

87

*H. M. Patel to M. A. Jinnah**F.1/192*

MOST IMMEDIATE/SECRET
No. P.O.16/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
9 July 1947

The Steering Committee present their compliments to Mr. M. A. Jinnah

therefore be expedient to have Joint Secretaries, and it was suggested that these should be responsible officials belonging to the Defence Ministries of each Dominion. The instructions they issued on behalf of the Joint Defence Council would have to apply equally throughout India, and be issued as a joint instruction to both Dominion Governments. Allocations of costs or responsibilities would have to be decided as a separate matter, and would not be included in the instruction itself.

6. The Committee therefore agreed to recommend to the Partition Council:

- a. That a civil secretariat was necessary to serve the Joint Defence Council and should be set up without delay and that it should be headed by two Joint Secretaries representing the Defence Departments of each of the new Dominions.
- b. That it should be the vehicle for the promulgation of the decisions of the Joint Defence Council alike to the Governments of India and Pakistan.
- c. That its responsibilities and composition, should be defined by a small expert sub-committee of the Armed Forces Reconstitution Committee to be set up for the purpose. The sub-committee will consist of Messrs. Mohamad Ali and Bhalja.

¹In capital letters here and subsequently in the original.

Enclosure 2 to No. 87

F. 1/194

1 QUEEN VICTORIA ROAD,
NEW DELHI,
9 July 1947

Reference No. P.O. 15/PC/47 of 8th July 1947.¹

I think this is a matter which should be finally decided by the Partition Council and not given publicity before a decision has been taken by the Council.

RAJENDRA PRASAD

H. M. Patel, Esqr., ICS

¹No. 66.

88

*H. M. Patel to M. A. Jinnah**F. 1/195*

MOST IMMEDIATE/SECRET
No. P.O. 17/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
9 July 1947

In continuation of this office memorandum No. P.O. 16/PC/47¹ of today's date the undersigned is directed to circulate the following additional items to be taken as items 3, 4 and 5 of the agenda for the meeting of the Partition Council called for 10 a.m. tomorrow, the 10th July.

3. Policy of Publicity.
4. Allocation of Artillery and Engineering Units as between *India and Pakistan*.²
5. *Partition of the Royal Indian Navy*. (Recommendations of the Armed Forces Reconstitution Committee in respect of all the three items are attached).

A correction to item 1 circulated earlier³ is also attached.

H. M. PATEL

¹No. 87.

²Underlined here and subsequently in the original, probably by Jinnah.

³Enclosure 1 to No. 87.

Enclosure 1 to No. 88

F. 1/196

CORRECTION

Item 1¹—Liaison in the civil field between the two future governments in defence administration.

Paragraph 6(c) should be deleted and the following substituted—

- c. that its responsibilities and composition should be defined by a small Expert Sub-Committee of the A.F.R.C.; to be composed of Mr. Bhalja and Mr. Mohamad Ali, who would submit their recommendations to the committee by 1 Aug. 47.

¹Enclosure 1 to No. 87.

Enclosure 2 to No. 88

F. 1/197

Item No.	Case No.	Title
3	-	Policy of publicity

1. The Committee discussed the publicity that should be accorded to their decisions.

2. It was agreed that *no*¹ publicity should be given to any item that required the approval of the Partition/Joint Defence Council, until after that approval had been recorded.

3. Thereafter, and for all other items, the Armed Forces Reconstitution Committee would publish periodical communiques at their discretion in consultation with the Steering Committee.

4. The Committee *refers* this item to the Partition Council for approval.

¹In capital letters here and subsequently in the original.

Enclosure 3 to No. 88

F. 1/198-9

Item No.	Case No.	Title
4	-	Allocation of Artillery and Engineer Units as between India and Pakistan

1. The Armed Forces Reconstitution Committee accepted the unanimous recommendations of the Army Sub-Committee for the following distribution of units of artillery and engineers. In both artillery and engineers units are at present very largely constituted in consequence of reorganization which has been going on for some time, on a communal basis and the distribution given below represents a division on these lines. The only disadvantage inherent in this decision is the necessity for certain conversions recommended in paragraph 3 but the equipment to carry out these conversions is available and no difficulties need be expected.

2. Artillery

	Type	Distribution between	
		India	Pakistan
a.	Field Regiments (Self-propelled)	2	1
b.	Field Regiments	5	1
c.	Field Regiments (Parachute)	2	-
d.	Mountain Regiments	2	1
e.	Light Anti-Aircraft Regiments	2	2

f. Heavy Anti-Aircraft Regiments	-	2
g. Anti-Tank Regiment (Self-propelled)	1	-
h. Anti-Tank Regiment	2	-
i. Anti-Tank Regiment (Parachute)	1	-
j. Medium Regiments	1	1
k. Survey Regiment	1 (less one bty)	1 bty ⁴
[Total]	18½	8½

3. Note. To balance the resultant Orders of Battle, the Sub-Committee recommended the following conversions:

Indian Union	One Field Regiment to a Heavy Anti-Aircraft Regiment
Pakistan	i. One Heavy Anti-Aircraft Regiment to Field Regiment
	ii. One Light Anti-Aircraft Regiment to Anti-Tank Regiment

4. The Sub-Committee also recommends:

- the replacement of Madrassi by Muslim gunners for the Coast Defence Battery at *Karachi*² (not shown in Order of Battle)
- the withdrawal of *all* non-Muslims from Frontier Post Artillery Groups (not shown in Order of Battle)
- the withdrawal of the Muslim personnel of the AA Ops³ Room at *Kharakvasla*
- that Cs-in-C India and Pakistan should be asked to decide the future of the Calibration Troop Deolali
- that existing Artillery Centres be ordered to transfer to the appropriate Artillery Centre, when established in each Dominion, the records, etc., of units in suspense.

5. Engineers

Type	Distribution between	
	India	Pakistan
a. Headquarters Engineer Brigade	-	1
b. Headquarters Engineer Group	9	3
c. Field Companies	20	9
d. Assault Field Companies	3	1
e. Parachute Field Companies	2	1
f. Field Park Companies	5	3
g. Airborne Park Company	1	-
h. Construction Companies	3	1
i. Workshop and Park Companies	2	1
j. Electrical and Mechanical Coys ⁴	3	3
k. Headquarters Plant Companies	2	2
l. Plant Platoons	6	5
m. Well-Boring Platoons	1	2

n.	Printing Sections	2	1
o.	Maintenance Platoon of a Bridging Company	2	1
	[Total]	61	34

6. The Sub-Committee recommends that adjustment of class composition within the units take place as early as possible.

¹Battery.

²In capital letters here and subsequently in the original.

³Anti-Aircraft Operations.

⁴Companies.

Enclosure 4 to No. 88

F. 1/200-2

SECRET

ARMED FORCES RECONSTITUTION COMMITTEE (NAVAL SUB-COMMITTEE)

NOTES BY THE CHAIRMAN ON THE REASONS FOR SELECTION OF SHIPS

1. SLOOPS (6)

Union of India

Sloops 4

As the Dominion whose trade, merchant fleet and coast line were considerably larger than those of Pakistan, it was agreed that two-thirds of the main units should go to Union of India.

Pakistan

Sloops 2

For Pakistan to have a navy at all long endurance sea-going units were essential. One ship of any class is unsatisfactory as is the breaking up of classes. It was, therefore, agreed that a minimum of two sloops should go to Pakistan and that these should be of a class. These would alternate as Gunnery Firing Ships.

SELECTION OF SHIPS BY NAME

KISTNA

Black Swan sloops completed late 1943.

CAUVERY

Slightly more powerfully armed than Bittern's; Machinery, a little more complicated.

NARBADA

Improved Bittern Class. Completed mid-1943.

GODAVARI

Narbada fitted as Flag Ship.

Same armament as *Jumna* and *Sutlej*. Slightly simpler E.R.¹ arrangements. Good steamers.

JUMNA
SUTLEJ

Completed 1941. Bittern Class. Have done a great deal of running, but still very good ships. H.P.² steam.

Unanimously agreed to allocate *Narbada* and *Godavari* to Pakistan and rest to Indian Union.

Reasons:

This gave the Indian Union the two best and the two oldest sloops, while Pakistan got two good ships of a class, one fitted as a flagship and both slightly simpler to run as regards E.R. which is where Pakistan is weakest in ratings.

2. FRIGATES (4)

It was decided that both Navies had a legitimate demand for two Frigates. Pakistan needed a training ship which would combine the duties of Boys Sea-going Training, Torpedo, Anti-Submarine, and Radar Training, while it was also considered essential to base at least one sea-going unit in the Chittagong area to stimulate interest there, carry out Reserve Training and act as Senior Naval Officer, Eastern Pakistan. Union of India needed a Boys Training Ship as, on partition, they would be without a shore training establishment for boys and even when one was arranged, would have a boy intake of about 300 to 400 per annum, which made a full time sea-going Training Ship essential.

The other Frigate was required as a Torpedo A/S³ Communication and Radar Sea-going Training Ship.

SELECTION OF SHIPS

Union of India

TIR—already fitted as a Boys Training Ship—was allocated to the Union because of her urgent need. *KUKRI*—already fitted as a T-A/S⁴ Ship and working with H.M.I.S. *VENDURUTHY*—should obviously remain there.

Pakistan

SHAMSHER—the best Frigate as regards condition; available as S.N.O.⁵ Eastern Pakistan.

DHANUSH—has recently been in service as sea-going training ship and as such, could easily be reconverted, and combine this with the duties of T-A/S, Radar and Communication Training Ship.

3. FLEET MINESWEEPERS (16)

The Indian Union's need for minesweepers is far greater than that of

Pakistan. It was, therefore, agreed to allot these in the proportion of 3 to 1.

Pakistan was invited by the representatives of the Indian Union to choose which four minesweepers she wished to take as her share. From the purely mine-sweeping angle, four reciprocating engine ships would have been best but the Engineer representative put in a plea for two turbine ships in order to assist in training of this E.R. personnel, prior to going to sloops. This was agreed to and two pairs of ships—one pair built in U.K. and one pair in Calcutta—were chosen by the Pakistan representatives. They were:

<p> <i>OULDH</i> <i>MALWA</i> <i>KATHIAWAR</i> <i>BALUCHISTAN</i> </p>	<p> Bangors—reciprocating—built Calcutta, 1944-45 Bangors—turbine—built U.K., 1943 </p>
---	--

The remaining 12 ships were retained by the Indian Union.

4. CORVETTE

This was allocated to the Indian Union.

5. SURVEY SHIP

Allocated to the Indian Union in view of its 3000 miles of coastline much of which needs re-surveying. It was not felt that Pakistan could afford to maintain a Survey Unit and that, except for harbour and river surveys, she should call on the Indian Union for any surveys on a repayment basis.

6. TRAWLERS

There is very little difference in the state of these ships which are maids of all work.

The Indian Union will have at least two bases at Bombay and Vizagapatam and will need trawlers for target towing and multifarious odd jobs on both coasts of India.

They were, therefore, allocated 4 and Pakistan 2 to carry out the same duties for that Navy.

H.M.I.S. *BARODA* being at present in Karachi, towing targets for the Gunnery School was an obvious choice to remain with Pakistan, while H.M.I.S. *RAMPUR* was chosen as the second Pakistan Trawler.

The remainder will stay in the Indian Union.

7. M.M.S.* (6)

These were again allocated 4 and 2, and it was decided to allocate craft by serial numbers, on receiving a report as to their general condition.

8. H.D.M.Ls.⁷ (8)

It was felt that the Pakistan coastline, which contained a very high percentage of delta areas warranted the allocation of 50% of the existing H.D.M.L. strength to that Navy. This was agreed and 4 boats were, therefore, allocated to each Navy. The serial numbers of boats allotted would be determined after reports as to their condition had been received.

9. M.L.⁸ 420

This M.L. attached to the Torpedo School for torpedo firing duties must obviously stay with the School and so was allocated to the Indian Union.

J. W. JEFFORD
Commodore, R.I.N.,
Chairman, Naval Sub-Committee

¹Engine Room.

²High Pressure.

³Anti-Submarine.

⁴Torpedo Anti-Submarine.

⁵Senior Naval Officer.

⁶Motor Minesweeper.

⁷Harbour Defence Motor Launches.

⁸Motor Launch.

Enclosure 5 to No. 88

F.1/203-4

Item No.	Case No.	Title
5	-	Partition of R.I.N.

1. The Armed Forces Reconstitution Committee accepted the unanimous recommendations of the Naval Sub-Committee on the following points. An explanatory note indicating the considerations which were taken into account in arriving at these decisions is attached.

2. DIVISION OF SEAGOING UNITS

Type	No.	India (Name of ship)	No.	Pakistan (Name of ship)
Sloops	4	SUTLEJ	2	NARBADA
		JUMNA		GODAVARI
		KISTNA		
		CAUVERY		
Frigates	2	TIR	2 ¹	SHAMSHER
		KUKRI		DHANUSH

Fleet

Minesweepers	12	ORISSA DECCAN BIHAR KUMAON KHYBER ROHILKHAND CARNATIC RAJPUTANA KONKAN BOMBAY BENGAL MADRAS	4	KATHIAWAR BALUCHISTAN MALWA OUDH
Corvettes	1	ASSAM	-	-
Survey Ship	1	INVESTIGATOR	-	-
Trawlers	4	NASIK CALCUTTA COCHIN AMRITSAR	2	RAMPUR BARODA
Motor				
Minesweepers	4		2	
Motor Launch	1		-	
Harbour				
Defence Motor				
Launch	4		4	
Landing Craft		All existing major and minor Landing Craft	-	16 ²

3. COMBINED OPERATIONS ESTABLISHMENTS

The Sub-Committee recommends that it is desirable for the Indian Navy to maintain a Combined Operations Unit, and that the Pakistan Navy should *not*³ maintain such a unit.

Accordingly they recommend that *HAMLA*, the Combined Operations Unit be allotted to the Indian Navy.

4. TRAINING OF NEW ENTRY

The Sub-Committee recommends that training for the *New Entry* should be separated as early as possible and should be carried out independently by each Dominion.

5. Accordingly they recommend that the proposed sale of *HINDUSTAN* be frozen as her engines and machinery might be of use to the Pakistan Navy, who would be deprived of the use of the Mechanical Training Establishment (*SHIVAJI*) at Lonavla.

¹Underlined here and subsequently in the original probably by Jinnah.

²Total of 16 Vessels allotted to Pakistan indicated in the original probably by Jinnah.

³In capital letters here and subsequently in the original.

89

*Private Secretary to the Viceroy to M. A. Jinnah**F. 2/203*NEW DELHI,
9 July 1947

No. 1849-S

Forwarded¹ to M. A. Jinnah, Esq.,

With the compliments of the Private Secretary to His Excellency the Viceroy.

[GEORGE ABELL]

¹For the document forwarded, see No. 63.

90

*Private Secretary to M. A. Jinnah to Goval Brothers**F. 910/332*

9 July 1947

Dear Sirs,

I am enclosing herewith a cheque for Rs. 3,000 (Rupees three thousand only) being the amount payable by Mr. M. A. Jinnah in respect of the 1,200 partly paid Ordinary Shares on the second call¹ of the Indian National Airways Ltd., New Delhi.

Please acknowledge receipt and oblige,

Yours faithfully,
[K.H. KHURSHID]
Private Secretary

Messrs. Goval Brothers Ltd.,
Managing Agents,
The Indian National Airways Ltd.,
[Scindia House],
[New Delhi]

¹Also see No. 55, Vol. II, 115.

91

Secretary of State for India¹ to H.M.'s Minister at Kabul

Telegram O.T.P., F. 10/137

SECRET/IMMEDIATE
8462/No. 64 FORMINKA

[LONDON],
9 July 1947,

Received: 10 July 1947

Government of India telegram of July 7th No. 5268.² Future of NWFP.

2. H.M.'s Government agree that you should at once enter protest with Afghan Government on behalf of both Governments.³

3. You should say

- a. Report of Faiz Muhammad's⁴ speech at Jamrud has made deplorable impression in London and Delhi.
- b. If His Excellency was accurately reported H.M.'s Government and Government of India must strongly protest at totally incorrect behaviour on part of high placed Afghan personage who must be well aware what is expected of Head of Diplomatic Mission passing through friendly foreign State.
- c. In any case you must request categorical assurance that views attributed to Sardar do not represent policy of Afghan Government.

4. Naim Khan has not yet called on Secretary of State (para 5 of Forminka telegram No. 60)⁵ but if opportunity occurs he will be informed of nature of instructions sent to you.

¹Repeated to Government of India, EA & CR Department, New Delhi, and H.M.'s Ambassador, Washington.

²No. 50.

³Also see No. 70, TP, XII, 107-8.

⁴No. 50.

⁵No. 60.

92

W. Zaman to Liaquat Ali Khan
(Copy to M. A. Jinnah)

F. 398/27-31

PRIVATE AND CONFIDENTIAL

16 SYED AMEER ALI AVENUE,
CALCUTTA,
9 July 1947

Dear Sir,

The development in Muslim League politics in Bengal has prompted us to write you a letter in terms which, we, in ordinary circumstances, would hesitate to do.

We have been feeling that for sometime efforts made by Mr. Suhrawardy to continue to maintain his artificial hold upon the administrative machinery were meeting with success, mostly because there is a feeling that he has the backing of the Muslim League High Command.

This impression has been created by the fact that the High Command was perfectly aware of the most objectionable and illegal methods adopted by Messrs Suhrawardy and Abul Hashim¹ to capture a majority in the Provincial Parliamentary Board. Yet the recommendations made by that body were confirmed in such cases in which some well-known League leaders were rejected in favour of absolutely unknown and untrustworthy men. Some of these latter [*sic*] have established by their conduct that their support could only be continued by the grossest form of bribery.

While as minister-in-charge of the Department of Civil Supplies in 1943, Mr. Suhrawardy introduced widespread corruption. He himself got entangled in it to his neck and so much so that there was no restraint upon his officers. It was then that his present colleague-in-business, Rai Bahadur R. P. Shaha, began to rise in wealth from comparative poverty, now one of the wealthiest Bengalis and all in the course of four years. This Mr. Shaha was appointed agent for handling all kinds of Government-controlled articles, such as yarn, cloth, food grains, etc. On every occasion special rates, sometimes as high as 8 times than that prevailing for the ordinary traders, were fixed for him by the Government, i.e., for handling of yarn he got Rs. 3-8-0 as compared to 0-8-0 at which the traders were working at the time when this monopoly was given to him. He was appointed one of the several storage and handling agents of food grains, at the rate of 0-8-0 per

maund when the local rate for others was 0-4-0 per maund. Similarly in the dealings of food grains, permits for large quantities were given to individuals sometimes running into even lakhs of maunds to some selected dealers. Pulses were bought in the Punjab and other places by the Government at the rate of Rs. 11 per maund and they were handed over to favourites, who sold them to the poor consumers at the rate of Rs. 40 per maund; netting a profit of sometimes 10 to 20 lakh in a single transaction. Representations were made against such outrageous fleecing of the poor consumers, but these produced no result. Mr. Abul Hashim also reaped a rich harvest along with Mr. Muhammad Ali,² a minister, and some others. Mr. Hashim whose only means of livelihood was a salary of Rs. 200 as Member of the Assembly, is now building a sort of a palace in Burdwan town merely because he had control over the ministers.

Mr. Suhrawardy has now personal business assets such as the Maxim Machine Manufacturing Co. wherein alone he has invested 22 lakh. He is now trying to get Mr. R. P. Shaha appointed as the sole jute purchasing agent on commission basis under the subterfuge of helping the control of jute in the interest of Pakistan.

The latest instance of large-scale fraud upon the Government of the province is that as soon as the partition became a certainty, a fictitious claim was submitted by Mr. Shaha for a sum of Rs. 1 crore and 8 lakh for compensation on an alleged oral agreement with Government in 1943 (Civil Supply Department). Mr. Suhrawardy himself influenced the Secretary, Civil Supply Department, to pay Rs. 58 lakh immediately pending the settlement of the claim. This news, unfortunately for them, leaked out and on our representation the Partition Council immediately made enquiries and they have ordered that the amount should not be paid without it being settled by the Council. But still efforts are going on if at least 15 to 16 lakhs of rupees can be paid. In order to enable him to do these, certain members of the Legislature are liberally granted permits and some of these latter [*sic*] act as go-between for Marwaris and clear handsome brokerage thereby. Some of the Parliamentary Secretaries are experts in these lines of business.

These have created a vicious atmosphere here. They have now got a daily paper, *Ettehad*, which has been financed by Mr. Suhrawardy and Mr. R. P. Shaha. The paper is trying to create and canvass public support for them on specious grounds.

At the time of the nomination for the Consembly it was surmised that the Central Board would not give any consideration to Mr. Suhrawardy's recommendations as he belongs to West Bengal. But we were disappointed to find that his opinion prevailed against all

others and personal loyalty to him was a governing factor for his recommendation. The nomination of Mr. Muhammad Ali, a minister, was a surprise. This gentleman never took any interest in Muslim League politics beyond trying to be a decoration [sic]. He has converted his department into a Hindu stronghold so much so that the Partition Council has not got a single Muslim gazetted officer in the Finance Department above the rank of Assistant Secretary to sit in the Departmental Committee.

When everyone was hoping that this baneful influence will be removed from the body politic of East Bengal, the Central Parliamentary Board has again been misled by agreeing (on a request from 13 supporters of Mr. Suhrawardy) to prevent the party from electing their leader in a democratic method, for East Bengal. The members got together for this purpose when your letter was placed before them. The party had to adjourn and disperse. As soon as a number of members who were opposed to him left Calcutta, Ministers and Parliamentary Secretaries collected some of the members who had their own affairs in the hand of the Ministers, such as long deferred District Board nominations, permits for corrugated iron sheets, etc., and by exercising all kinds of undue influence, took a large number of signatures. At least 11 members signed on promise of District Board nominations in pending cases. These nominations have been made during the last four days. It is true that most of the nominees will not vote for him after the names are gazetted, but the expectation is that the High Command can again be hoodwinked [sic] such a document and Mr. Suhrawardy given another chance to exploit the unorganised new province of Eastern Bengal. There would be a great opportunity to buy support by liberal distribution of favours at the cost of and detrimental to the interest of the new province. If this happens to pass, the province which needs the most sincere and honest efforts by everybody, will be ruined, never to rise again. The party squabble built and maintained by Messrs Hashim and Suhrawardy during the last two years will again be there to hinder and obstruct all efforts to progress for the new province.

Now, Sir, it is for you and for Quaid-i-Azam to decide whether this new Province should be purged of corruption, bribery and nepotism and get a chance to build herself.

In the meantime there is an atmosphere of complete indifference in the government circles to the problem that faces us. Beyond sending a small committee to Dacca³ by the Partition Council for seeing accommodation, the ministry is absolutely unconcerned with the question of transfer or

shifting. The ministers are busy collecting supporters and signatures for their next lease of life.

Yours sincerely,
W. ZAMAN
MLC, Bengal

The Hon'ble Mr. Liaquat Ali Khan,
Hardinge Avenue,
New Delhi

¹General Secretary, Bengal Provincial Muslim League.

²MLA from Bogra West (ML).

³Now spelt Dhaka.

93

S. M. Hosain to M. A. Jinnah

F. 1108/102

CONFIDENTIAL

BENGAL SECRETARIAT,
CALCUTTA,
10 July 1947

Dear Sir,

I enclose herein a very interesting note¹ regarding Chinese Muslims of the present day which I have received from Prof. Ahmed Ali who has been sent on deputation to China on Cultural Mission from Bengal. I would invite your particular attention to the side-lined portions² on pages 2, 3 and 5 of the note. I think in the interest of the Chinese Muslims it is necessary that we should establish diplomatic relations with China with the least possible delay. I hope you will kindly give sympathetic consideration to the suggestions of the Professor.

Yours sincerely,
S. M. HOSAIN
Minister,
Education Department

¹Enclosure.

²Paras in the Enclosure under the headings "The Kuo-min-tang and Pakistan", "Since the Announcement of June 3", and "China and Future Diplomatic Relations with Pakistan", were sidelined in the original.

Enclosure to No. 93

F. 1120/188-95

CHINA, MUSLIMS AND PAKISTAN
A BRIEF SURVEY OF THE CHINESE ATTITUDE
TO MUSLIMS IN CHINA AND INDIA

By Ahmed Ali

CONFIDENTIAL

NATIONAL CENTRAL UNIVERSITY,
NANKING,
8-11 June 1947

CHINA: A GENERAL SURVEY

China is an ancient country with its own civilisation and culture that have flourished almost unchanged for thousands of years. The Chinese are a practical people. They are neither contemplative nor really philosophical nor religious in the accepted senses of the words. Their emphasis for centuries past, and especially since the days of Confucius, about the sixth century B.C., has been on good manners, propriety and respect for the elders and ancestors. Though there are no real philosophical systems in the country (for we cannot call what Confucius and Mencius taught really philosophy in the sense that we can call Avicenna's and Ghazali's works philosophical) the attitude of the Chinese people tends to become philosophical in its acceptance of things and events of Nature as well as History and circumstances. The experience of centuries, and constant ravages of famines, floods and wars, and the course of war-lordism, have made them somewhat fatalistic, even passive, and conservative in their adherence to many things of the past. Anything that is foreign to their attitude is looked upon with suspicion; and anything they cannot fully understand in the light of their own practice they are apt to disregard and dislike. Though they believe in the principle of 'Li' which we would render as propriety and 'Akhlaaq', though they are hospitable, generous and kind to their friends, they fail to understand religious fervour or piety.

There are supposed to be many religions in China, like Confucianism, Taoism, Buddhism, etc.; they are, in fact, only systems or codes of behaviour in Chinese practice, and hardly anyone follows them with any strictness or seriousness. Buddhism was introduced in the first century A. D., but has been reduced by the Chinese to the level of Confucianism and Taoism. Confucius preached a code of moral and social behaviour; and Lao Tzu (author of Taoism) a negative system of finding the Tao or way (in many respects, including the negative aspect, similar to Hindu

Yoga), and lays emphasis on man's individual nature and on retiring from the world to find redress from wrongs. The so-called ancestor worship (in reality a respect for the ancestors) and Nature-worship are really not forms of worship, but occupy the same place in Chinese morality as reverence does in India, and the seasonal agricultural festivals held in Hindustan. Buddhism, too, has been reduced to the form of a game, and except for the priests no one practices it seriously. Christianity does not demand any sacrifices of the body or the spirit from its adherents, and those Chinese who have accepted it never take it seriously. Islam, however, is at the same time a religion, a code of moral and social behaviour, a system of government, economy and politics; in short a complete way of life. It emphasises discipline and demands obedience to God, and forbids many things. This the non-Muslim Chinese fail to comprehend and appreciate. They actually tend to look down upon Muslims. In a country of easy ways and no religious zeal, even the Muslims are not as fervent as they are in other countries, and yet the only people who could really be called religious in China are the five odd crores of Muslims.

THE INTRODUCTION OF ISLAM IN CHINA

Islam was introduced in China as early as the seventh century A. D. or the first century of the *hijra* by Arabs who came by sea to Canton and Hangchow, and by people who came from the Muslim world by land through Iran and Turkestan. By the ninth century A.D. a large population of Muslims, many converts, many Arabs, Persians, Turks, etc., and a mixture of Chinese and foreign races, flourished in China's many provinces. Many emperors raised the Muslims to high ranks, and in the Army they have held the highest positions. Even today a substantial minority of the Muslim population (about 15 to 20 per cent) is serving in the Army, and a number of generals are Muslims.

The Muslims lived happily until the Manchu Dynasty (1644-1912 A.D.) came to power, and in the 18th century the persecution of Muslims began with fanatical hatred. The present Kuo-min-tang Government does not pursue a policy of persecution, but does not favour them either. It is, however, not free from guilt, and between 1929 and 1938 the Muslims of Sinkiang have been subjected to suppression and persecution. Even today they are deprived of the benefits of education.

THE KUO-MIN-TANG AND PAKISTAN

The Kuo-min-tang, which is the ruling party under the leadership of Generalissimo Chiang Kai-Shek, occupies the same position and follows the same policy as the Congress in India towards the minorities. But

it is fast losing the respect of the people who have started voicing their discontent against its political, economic and military policies openly, and is losing its hold very rapidly throughout the country. It has, however, on its side a few important Muslims like General Omar Pai Chung-Shi. They, however, do not represent the general Muslim opinion or aspirations, like those Muslims in India who are with the Congress. As should, therefore, be expected the attitude of this party to Indian Muslim demands and to Pakistan has been exactly the same as that of the Congress in India. The main reason for this is their fear of a Muslim rising in China, and the demand for independence put forward by other minorities, as a result of the success of Indian Muslims. Another, but minor reason, is its ideological identity with the Indian Congress and the intimate friendship between Congress and Kuo-min-tang leaders. The press which is directly controlled or subsidised by the Government has been carrying on an intense propaganda for the Congress point of view and reaches heights of almost fanatical hatred of the demands and aspirations of Indian Muslims. Besides, the non-Muslim Chinese are far more in sympathy with Hindus having a similar mental make-up, and the same negative attitude to life as opposed to the Muslim positive philosophy and religion.

SINCE THE ANNOUNCEMENT OF JUNE 3¹

There are, however, liberal elements in the country. Recently I have been approached by various organisations and individuals for lectures on India, its politics and the significance of the political struggle in India. Many have frankly told me that they fail to understand the Muslim insistence on a sovereign and independent state. Since I am the first Indian Muslim, or any foreign Muslim as a matter of fact, to have come out here in an independent and cultural capacity, I am frequently requested by educational and cultural bodies as well as individuals for elucidation of the Muslim attitude. Since the publication of Lord Mountbatten's scheme, newspaper correspondents have come to me for information on Pakistan and the future policy of Muslim India and its relations with China.

They are frankly perturbed for, as some of them have said, this will have an effect on the Chinese Muslims who number, according to European observers like Dr. Lyman Hoover and Marshall Broomhall,² 12 to 15 million, but according to Chinese Muslims themselves, about 45 to 50 million, though according to the Chinese Government sources only about 7 to 10 million which figure, however, we can safely say is wrong (see Appendix³ on population). We can take the present Muslim population to be about 50 million. The confusion arises from the

fact that the Government has never held a proper census. Besides, according to Muslim opinion, the Government does not wish to acknowledge that there are so many Muslims in China. In the draft of the Constitution which will come into effect in December 1947 they had mentioned the five races of China, Han, Man (Manchus, but these are no longer a separate race having mixed freely with the Chinese), Muslims, Mongols and Tibetans, but deleted the names from the draft as passed. If they had had their way (and but for European historians, missionaries and observers) one feels they would have even denied the existence of Muslims in China proper. A number of highly placed and educated Chinese, both officials and intellectuals with Kuo-min-tang sympathies, have remarked how they fail to understand why the Muslims refuse to eat pork (which is most commonly eaten here) and tend to live in separate localities. (But they forget the persecutions and Manchu edicts which banned the residence of Muslims inside the cities.)

We can, thus, understand why they are perturbed at the news of the formation of Pakistan. It is bound to stir hopes in the hearts of Chinese Muslims and supply them with the impetus to assert their rights of self-determination and demand independence, at least in the majority areas like Sinkiang. For the same reason, which has been confirmed by responsible Chinese correspondents, the press, both English and Chinese, has been coming out with editorials bitterly attacking the Indian Muslims and Mr. Jinnah for insisting on Pakistan, and the British for "conceding" it. The only Chinese party or people who favour Pakistan, and have favoured all along, are the Communists of China who have openly sided with the Muslims of India.

CHINA AND TOLERANCE

The Chinese pride themselves, and not without reason, and [*sic* for on] being a very tolerant people. There is no doubt that if you know how to get on with them, and it is not very easy for a Muslim to do so, they are extremely polite, courteous, friendly and hospitable. They are tolerant, too, in all cultural, social and religious matters, but only in so far as these fit in with their own ideas and scheme of things. Where they do not, they are not so tolerant, as for instance in the case of Muslims, especially the Chinese Muslims. Perhaps one can understand it to a certain extent, for the Muslims cannot mix with the Chinese freely and for obvious reasons cannot accept their invitations to meals, and for the Chinese the one most important social ritual is a meal which lasts for hours.

The Chinese are an exceptionally nationalistic people, for they have

been cut off from the rest of the world by impassable barriers which have made them insular. Their attachment to their own food, chopsticks, ways and language is quite remarkable. And though many of them have taken to European clothes or the American system of education, this is only superficial. They are, on the whole, a proud people, proud of their ancient culture and the past. And they have every reason to be proud of their heritage. For the effects of their culture and civilization have been felt throughout the world. Their poetry is easily superior to that of the West, and as great as Persian poetry, and would have been greater but for the fact that Persian poetry is superior in its command over all human emotions and has far greater variety of subject and verse-forms. Their arts of calligraphy and painting are supreme; and the quality of their silk, which they were the first to discover like tea which is called by them *Cha*, is still the finest; and their porcelain still remains the best in the world. In manners and politeness they have been foremost, and the *Gulistan* and *Bostan* of Sa'adi⁴ seem to have been influenced by a knowledge of the writings of Chinese scholars and reformers. The *rubai* form of verse has its origin in China; some of the metrical and rhyming schemes of Persian and Urdu poetry seem to derive from this ancient land, as do ever so many other things whose mention will make a long list and catalogue. The Persians, Arabs, Indians and Europeans owe much to China though Arabia, Iran, India, and Greece have also given much to this country in return, and the contribution of the Muslim world seems to be quite significant, though much of it unacknowledged and unknown as a result of the nationalism preached by Dr. Sun Yat-sen⁵ and the antipathy to Muslims in general—the *Unani* system of medicine, for instance, and many art forms and the enrichment of the sciences of astronomy, astrology and alchemy, etc. In the past the wealth and splendour, fame and glory of China have been proverbial, and though they have all disappeared today there is much in this "Flowery Kingdom" that is splendid and beautiful, its cities, its landscape, its soil, its Spring and Autumn, its people and their courtesy.

From time immemorial the Chinese have looked upon themselves as the most superior race, and their emperors had called themselves "tientze" the sons of Heaven. They have proved their superiority in absorbing foreigners even when the foreigners have established their suzerainty over this sub-continent, such as the Mongols and the Manchus besides many other. Yet the Muslims of Sinkiang (formerly Turkestan) have retained their separate identity, culture and language; and the Muslims inhabiting China, whether Chinese or of mixed race,

have also preserved their religious identity. And though they are uneducated and extremely poor today, perhaps as a result of the policy followed by the Government (there is no college or even middle school in Sinkiang, none in Chinghai, and out of 132 institutions of higher learning that existed in 1943, only three were located in Kansu, none in Ninghsia and Suiyuan, all areas with about 50% Muslim population) the Muslims have not lost their pride of religion though they may not practise it with the same zeal as the Muslims of Sinkiang, India and other countries.

CHINA, AGGRESSION AND THE PRESENT SIGNS OF REVOLT

The Chinese say that they are not an aggressive people; this is not entirely true. As early as the Han Dynasty (206 B. C.-220 A. D.) they had subjugated as many as thirty nations. In 735 A.D. they had attacked Western Turkestan. They had suzerainty over Annam (Indo-China), Burma, Manchuria, Mongolia, Tibet, Turkestan. The states that paid them tribute were Liuchu Islands, Siam, Borneo, the Sulu Islands, Java, Ceylon, Nepal and Bhutan. Their imperialism was fierce, although many people in India (including some Congress leaders like Pandit Jawaharlal Nehru) agree with Chinese propaganda that they have been non-aggressive and peace-loving. But for the Himalayas, one fears, they would have invaded India. Their armies have been known to have penetrated into Assam and Bengal; and according to unsubstantiated reports have marched up to Afghanistan. According to Dr. Sun Yat-sen "China was even more imperialistic" than "Great Britain today and Russia after the World War I". Their nationalism under Dr. Sun Yat-sen's preaching is no less fierce. And they still have their colonial possessions like Formosa (Taiwan), and their sway over Eastern Turkestan (Sinkiang, now Dominion), Tibet, Inner Mongolia and Manchuria. But already under the leadership of the Chinese Communist Party which believes in the independence of minorities including the Muslims, Mongolia has declared itself an independent republic (some three weeks ago); Manchuria is almost free of Government control, and but for a few cities and small areas is in communist hands. Korea is also joining the Communist Government, and North Korea (the Russian occupation zone) is solidly with the communist[s] and South Korea (the American occupation zone) is also siding with them in spite of American intervention. As a result of an almost continuous political movement beginning in 1928 and becoming more and more intense in 1938 and 1940, the Sinkiang people succeeded in getting some measure of liberty as a result of an agreement signed last year. But the fire of discontent and resentment is burning unchecked within

their breasts, and a revolution seems in the offing. During the writing of this brochure news has come through (on the 11th June 1947) that Sinkiang has been invaded from Outer Mongolia. It is not so much a case of invasion, as the invitation of help from outside so that the people of this country may become free. "Incidents" have been taking place during all this time, even throughout this year, and this "invasion" seems to be a culmination of the people's discontent. The Tibetans are also dissatisfied with Chinese rule, and do not acknowledge the suzerainty of China; and the people of Taiwan (Formosa) have demonstrated their dissatisfaction during the recent rebellion that took place in that island.

All these movements, coupled with the rising storm of revolt within Nationalist China itself, are perturbing the Government of Generalissimo Chiang Kai-Shek. The country today is governed by a small clique of highly corrupt officials and Party-men (Kuo-min-tang). M. Stewart, the American Ambassador to China, who has spent about twenty years in the country first as Professor and President of the American University in Peking and now as Ambassador, said recently in a speech on Washington Day that the curse of present day China is: (1) "Exploitation of public office for personal gain including that of relatives and friends and ruthless partisan bigotry; and (2) Disease and hunger." This view was upheld by Generalissimo Chiang himself when he said immediately after the Gold Rush Scandal⁶ that "Everyone of us is interested in himself everywhere and everytime." Further developments proved that both the American Ambassador and the Chinese President were correct in their appreciation of the situation; and three highly placed officials had to be publicly reprimanded on June 8, 1947. They were Lo Cho-ying, Governor of Kwangtung; Wang Tung-yuan, Governor of Hunan; and Pei Tsu-yee, former Governor of the Central Bank of China, a body that occupies the same position as the Reserve Bank of India. And all three were reprimanded for either interference in financial transactions or misappropriation of funds. Other officials are either too influential or too important to be even reprimanded. The result of all this is that the economic situation has deteriorated beyond repair, the currency has become almost valueless without any backing or reserves, inflation has reached sky-high, imports and exports are impossible or banned; blackmarket, which is the only market, flourishes as never before in the world, the cost of living has gone up by 23,500 since 1936 (as published by the Shanghai Municipal Government on 31st May 1947), the price of rice which is the staple diet of the people by 40,000; and the country is on the verge of bankruptcy and

starvation. And what with the recent strong students movement against hunger and civil war, labour and agricultural unrest, rapid communist advances into the northern provinces of the once proud Middle Kingdom (the Chinese call their country Chung Kuo, Middle Kingdom, that is middle or centre of the world) the whole structure seems to be tottering, and unless something miraculous happens will fall to the ground, and another government will arise out of the ashes of the Kuo-min-tang, the present ruling group.

When a ruling party becomes conscious of its losing grip over the people, it usually adopts totalitarian methods, and tries to suppress all popular movements with a ruthless hand. This is what strikes an objective observer in China today. This fact also lies behind their strong disapproval and resentment against the formation of Pakistan. They fear that the formation of a Muslim State in India might precipitate a Muslim rising in Sinkiang and, perhaps, elsewhere. The Government is not even prepared to listen to the students and the Chinese people themselves, and is crushing the students movement with fascistic and medieval cruelty, unheard of in modern history. For foreign consumption the Government adopts the same attitude which the Congress did in India, that there is no disunity in the country and that all the people are solidly behind the ruling party.

CHINA AND FUTURE DIPLOMATIC RELATIONS WITH PAKISTAN

Coming to the problem of establishing diplomatic relations with foreign countries, which has to be done immediately, China will present certain aspects which are fraught with difficulty. It requires special tact and personality to deal with the Chinese, the more so in a Muslim. The people have already started talking of two Indian Embassies in China, of Hindustan and Pakistan, and some have been making guesses about the name of the future Pakistan Ambassador. Representatives of the official Central News Agency who came to see me soon after the announcement on India on June 3rd said that they were already thinking of employing a Muslim correspondent to cover Pakistan news and make its capital his headquarters.

China does occupy a unique position from this point of view. There is a large Muslim population who form an important minority though ignored and looked down upon. The frontiers of Pakistan will meet those of China through Sinkiang with which country India has had trade relations all along. Culturally no one can forget the past connections between the Muslim world and China, and the *Hadith*: "In search of knowledge go even to China". The Arabs came to China as early as

the Sui Dynasty (A.D. 589-618) as traders; and Islam was introduced as early as A.D. 631 by Sa'ad Abu Wakkas; and his tomb is today a place of pilgrimage at Canton. The T'ang Emperors (A.D. 618-907) received as many as thirty seven embassies from Arabia and sent as many in return. Caliph Abu Ja'far Mansur⁷ sent troops in [A.D.] 757 to help the young T'ang emperor, T'ang Su-tsung, to regain his throne. Most of these troops settled down in China and were allowed to marry Chinese women. These relations continued for many centuries. The relations between Persia and China are also very old, and the Persian language has left some impression upon the Chinese language as employed by Muslim priests. Marco Polo⁸ is reported to have escorted the emperor's daughter to Persia in 1271, who was betrothed to the son of the Persian King. Persian Muslims came to China generation after generation; the Arabs kept up their trade with this country; settled down and married, leaving their progeny behind. Other Muslim races like the Turks, the Tatars and others mixed with the Chinese; and Muslim influences remained active until the Manchus of the Ch'ing Dynasty⁹ started their persecutions of the Muslim population.

With India the relations of China are old, and begin with the introduction of Buddhism to this country in 56 B.C. The arts, crafts and ideas of India and the Muslim countries have left their impression behind, though today they are so well absorbed in Chinese civilisation that it is almost impossible to distinguish them.

THE MUSLIMS OF CHINA

The Muslims of China can be divided into four groups:

1. The Muslims of North West, Kansu, Ninghsia, Shenai and Chinghai, who are a mixture of Turki, Tatar and Chinese races. They are called Tungan which is a Turki word meaning 'convert'. They are estimated to be 50% of the population.

2. Muslims of Sinkiang. They are Turki, and form a majority of 95%.

3. The Muslims of Yunnan, called Panthays. They are a mixed race, many of them descendants of Arab soldiers. They are about 25% of the population.

4. Muslims of the rest of China. Many of them (e.g. in Hopei and Shantung) have a district [*sic* for distinct] foreign mixture. There is not a single province of China which does not have its Muslim population. Many of them are indistinguishable from the Chinese, in dress or manners and customs. They generally do not intermarry, though many Muslim boys have married non-Muslim Chinese women and converted them to Islam.

Under the T'ang and subsequent dynasties, Sung, Yuan (or Mongol)

and Ming, that is from the seventh to the end of the seventeenth century, the Muslims were treated well, and under some emperors rose to high positions of importance and trust, and were allowed many concessions and facilities. But the Manchus (1644-1911) proved to be the greatest enemies of Muslims, persecuting them mercilessly sometimes only for possessing books written in Arabic. As early as 1731, the emperor Yung Chen forbade them to kill oxen. The Muslims rose, and the emperor was forced to restore cow-slaughter. Tired of the persecutions the Muslims of Kansu (including Ninghsia) rose in 1785. They were, however, defeated, and the emperor Ch'ien Lung, 'more cunning and cruel'¹⁰ than his predecessors, forbade the Muslims to go on a pilgrimage to Mecca [Makkah], prohibited the coming of *Mullahs* to Chinese soil, and forbade the building of mosques. In 1862 all the Muslim inhabitants of Tsinkia, a village in Kansu, were put to the sword, forcing the Muslims of the district to take up arms against the Manchus. The Manchus were more powerful and exterminated the whole Muslim population of Shensi Province. This led to the Muslim war of 1863 and the defeat of Manchu armies. The Muslims remained free until 1870 when they were eventually overpowered and every two out of three Muslims were killed.

The Governor of Turkestan (which had been taken by the Chinese in 1760), fearing that the Tungan (Muslim) soldiers of his garrison might rise against him after the declaration of the Muslim war in 1863, plotted to kill them. The Tungans discovered the plot and retaliated by killing about 2,000 Chinese soldiers, and capturing the city which forced the Governor to commit suicide. At this time rose that heroic figure of Yaqoob Beg who had come in 1864 as a subordinate officer. Under the title of *Ataliq Shazi* he founded an independent kingdom. His independence was recognised by Russia in 1872, and by Great Britain and Turkey in the same year, and the Sultan of Turkey conferred on him the title of *Amir al-Momineen*. This fact raised hopes of a great Muslim revival in Asia and it was thought and feared that China will become a Muslim Empire; at least the whole of China comprising Yunnan, Szechwen, Turkestan, Kansu and Shensi will become a powerful Muslim state, especially because the Yunnan Muslims had also risen and established their power in that province under Tu Wen-Siu who proclaimed himself ruler of one-half of Yunnan under the title of Sultan Suleiman. But these hopes were not to be fulfilled.

After twelve years of rule Yaqoob Beg died suddenly in 1877, and Yunnan was also lost. After Yaqoob Beg's death, the Muslims could not resist the Chinese who were secretly helped by Russia. Thousands

of Muslims were massacred after their defeat. They had occasion, however, to rise again in 1895 when the Chinese killed a Muslim in Kaitsingkong in Kansu. As [a] result "the trees by the roadside were in many cases decorated with Muslim heads", as an English missionary, Marshall Broomhall reports. During one month only, more than 800 Muslims were beheaded at the court of the Magistrate in Sining. Some authorities state that during 1862-1878 as many as 10 million persons were killed in the North-West and West.

The story of the Yunnan struggle is similar though somewhat different. The Muslims of this province were experiencing great persecution and injustice at the hands of the Manchu officials. In 1818 a mosque had been destroyed in Yungchang and the officials had behaved most high-handedly. This had forced the Muslims to rise and [they] defeated the Manchu armies, but were eventually defeated in 1819, and their persecution continued relentlessly. In 1834 sixteen hundred Muslim men, women and children were massacred at Menmienting; and the Muslims were forced to retaliate with great effect. In 1855, however, the Muslim minors [*sic*] of Shihyachang were attacked by Chinese who were many more in numbers, and the Muslims were forced to attack. But the Viceroy of the province, a man named Huang Chung, who hated the Muslims, ordered a general massacre of Mohammadans throughout the province. May 19, 1856 was fixed for this massacre and secret orders were sent to the various officials to this effect. The Muslims, however, came to know of this, and after some 300 families were butchered at Ningchow and their homes burnt and mosques destroyed, the Muslims rose as one man to avenge and defend themselves. The Manchu officials, treacherously, murdered some 700 families in Yunnanfu together with some graduates who had come to appear at the secretarial examination. This enraged the Muslims so much that though they were much less in numbers than the Chinese, they struck terror in the hearts of the enemies by their fierce wrath and energy. At least a million people were killed in the war that ensued. The Muslims divided the province under two generals for strategic reasons, by the common leader Ma Teh-sing. In the East Ma Teh-sing and his nephew and general Ma Hsien made Kwanyi their headquarters; in the west Tu Wen-siu (later Sultan Suleiman) captured Talifu. The two between them conquered the whole province. But at the height of success the supreme leader, the learned Ma Teh-sing, made peace with the Chinese Commander-in-Chief, not wanting to become king himself, though Tu Wen-siu proclaimed himself Generalissimo. Ma Teh-sing was pleased eventually

to be appointed the Viceroy, and Ma Hsien the Commander-in-Chief of the imperial armies. This eventually led to the downfall of the Muslims some thirteen years later, for the Muslims were now divided into two camps. Tu-Wen-siu, however, continued his struggle. But left alone his power weakened, and treachery helped the defeat. In 1873, Tu Wen-siu was taken prisoner and when he was brought before the Manchu commander he asked only for one thing, that the people be spared bloodshed, and having swallowed poison earlier, died. The Chinese Commander ignored Suleiman's wishes, had his head cut off his dead body, and sent it as [a] present to the Manchu emperor; and started a general massacre of Muslims everywhere. It will take too long to relate the hardships of Muslims and the cruelty of the Manchus. One English writer says: "How many hundreds of thousands of men, women and children lost their lives in these eighteen years will probably never be known." Another English writer, George Clarke, writing in 1885, twelve years after, stated that the Muslims were not allowed even to open shops. Throughout China they were forbidden from living inside the cities. And this policy was adhered to until the end of the Manchus in 1911 A. D.

To this day we find in Nanking, the capital of China, and in other cities of this 'tolerant' country, Muslims living outside the city walls, miles away. They have not been given any special concessions by the present Government; and their policy of ruthless suppression of Muslim aspirations has been demonstrated time and again in Sinkiang where the Muslims have been fighting for independence and liberty in a new movement since 1929. They have been suppressed in 1929, 1930, 1933; but they have been fighting on. In 1938 and 1940 their movement became very formidable, and the Chinese Government had to promise some measure of independence. By the Agreement of 1946 they were given some autonomy, but the Governors, high officials and the Army commanders are all Kuo-min-tang [men] and not acceptable to the people of Sinkiang, for they behave most high-handedly and against the interests of the people.

THE CULTURE OF CHINESE MUSLIMS

Except for the people of Sinkiang whose language is Turki, and their culture different, the same culture, in fact, that Emperor Babar [1526-1530] brought with him to India, the rest of the Chinese Muslims are not easily distinguishable from the non-Muslims. They wear the same dress, speak the same language, eat the same food (except for the forbidden things). They follow largely the same customs of marriage, birth and death, and have the same manners. A very infinitesimal number

learn Arabic and become *Ahungs* (*Motvis*). The rest do not know anything of the *Qur'an* either except for a few verses which are essential for offering prayers, though it is doubted if all of them know even these. For they cannot always kill animals or fowl themselves and have to depend on *Ahungs* for that, very much like the poor, illiterate Muslims of Bengal. They are all given Muslim names along with Chinese ones at the time of birth, but they never use the Muslim names, and the vast majority of them do not even remember their Islamic names which lie registered only in the register kept in the local mosque. Only at the time of betrothal for marriage is the Muslim name dug out and sent along with the proposal for marriage, and serves the purpose of the birth-paper (*janam-patra*) which the non-Muslims of China like the Hindus of India send on such occasions to see if the stars of the couple tally or not.

Yet, in spite of all this they have preserved their Muslim identity. It is remarkable that being Chinese they are different from the Chinese, and in spite of living in China they live their own lives. On the whole, however, their lot does not seem very enviable today to a foreign observer. They lack leaders of calibre, and the few important Muslims who are in the public eye are more interested in grinding their own axes, and do not live for Muslims or Islam. But hope is still alive in their breasts; and the success of Indian Muslims has pleased them secretly, though, perhaps for fear of Kuo-min-tang, they have not issued any statement on Pakistan nor have they felicitated their brethren in India. Yet some of them have expressed the desire for a visit of Mr. Jinnah to China even though for a short time. If this could materialise somehow, it would send a wave of Islamic zeal running through their expectant breasts.

CONCLUSION

The picture that I have given may seem pessimistic, but it should not give rise to any fears. The Chinese are an extremely practical people; and will have to accept the facts. The present Government will not last very long. It is living its months of grace at present. In six months, a year, or earlier, it will be replaced either by a Leftist one or at least a much more liberal Government. Even the present Government will change its attitude with American opinion. The Kuo-min-tang are proving their loyalty to the Congress, but with the change in the leadership the picture will be materially altered. As for the Muslims of China, there is a better future ahead of them. No people have ever achieved greatness without suffering and sacrifice. The Chinese Muslims have not yet had the time to recover from the age-long tyranny of the Manchus; but they are expectant of better days, and on the lyres of their hearts dim and distant melodies are awaking, though yet unheard and indistinguishable.

There was a time, during 1860 and 1873, when they had stood on the threshold of a great Muslim State in China, and but for disunity among their ranks, and lack of Islamic zeal and purpose, they would have established their sway over the whole of the Middle Kingdom. That opportunity was lost. We can still, however, deduce important lessons from this tragic experience of Muslims in China from which they have not been able to recover fully as yet. But already the Chinese communists are preaching the independence of the minorities; and wherever the communists have established their Government the lot of the Muslim peasants has improved hundred-fold. In time to come they will rise out of the mire of subjection and slavery, free from the fetters of bondage that bind them today.

AHMED ALI
Visiting Professor,
National Centre University, Nanking¹¹

¹No. I, Vol. II, 1-6.

²English missionary.

³Annexure.

⁴Sa'adi, Sheikh Muslehuddin, (1184-?1292), renowned Persian poet; created such celebrated works as *Gulistan*, *Bostan*, and *Pand Nama*.

⁵Sun Yat-sen, (1866-1925), Chinese revolutionary and statesman; President of China, 1911-12; author of *San Min Chu I* (1927) or *The Three Principles of the People*, i.e. nationalism, democracy, and livelihood.

⁶The discovery of gold in the Sacramento Valley was announced in December 1848 resulting in a mad rush of miners in early 1849 to California. Known as the "forty-niners" some 80,000 miners converged on California from three different routes.

⁷754-775

⁸Venetian traveller, 1254-1324.

⁹1644-1912.

¹⁰The following footnote appears in the original: "Dr. Sun Yat-sen, *The Three Principles*. At another place in this book the founder of the Chinese Republic says during an analysis of the population of the country that there are 'more than a million Mohammadan Turks', but completely ignores the rest of the Muslim population of China. He goes on to say: 'So we can say that the Chinese nation is formed almost wholly of Hans. We have the same blood, the same language, the same religion, the same customs and habits; so we are one nation'. Ibid., p. 5. It is this propaganda which is responsible for ignoring the Muslim population altogether; and the Kuo-min-tang and other writers have ignored their existence."

¹¹Professor of English, Presidency College, Calcutta; author of *Twilight in Delhi*.

Annexure to Enclosure to No. 93

F. 1120/196-7

APPENDIX ON POPULATION OF MUSLIMS IN CHINA

According to Dr. Lyman Hoover the Chinese Government estimates of Muslim population are seven to ten million. On the face of it this

estimate is wrong, for the population of Sinkiang alone in 1933 according to the figures given in the *China Handbook* for 1943, was 4,360,020; that of Kansu and Ninghsia, respectively, 6,255,467 and 735,767. The population of Muslims in Kansu and Ninghsia is said to be over 50% of the [total] population, that of Sinkiang 95%. This alone takes the figure to 78,07,656, that is almost eight million. This leaves out the Muslim population of Yunnan, Chinghai, Shensi and all the other provinces of China, which is very considerable.

Below I give three tables. The first contains the figures of the whole population of one province as given by the Government in the *China Handbook* for 1943; the second contains the figures of Muslim population according to Marshall Broomhall estimating in his book *Islam in China*, for 1910; and the third table gives the figures of the Muslim population according to Muslim sources estimated in 1938. The figures given by Broomhall as well as Muslim sources are only estimates, but they tell their own story. I have also mentioned the percentage of Muslim population wherever available.

Province	Total population according to the Chinese Govt.	Muslim population according to Marshall Broomhall	Muslim population according to Muslim sources	Percentage (roughly)
Shensi	9,799,617 (1940)	1,000,000 (1910)	4,000,000 (1938)	45
Yunnan	10,853,359 (1939)	1,000,000 (1910)	3,000,000 (1938)	33
Hopei	28,644,437 (1936)	1,000,000 (1910)	3,000,000 (1938)	10
Manchuria	30,848,200 (1929-35)	2,500,000 (1910)	4,300,000 (1938)	14
Szechuan	46,403,006 (1939)	250,000 (1910)	4,000,000 (1938)	9
Chinghai ¹	1,512,823 (1940)	Not given as province carved out after 1910	2,500,000 (1938)	(% said to be large)
Shantung	38,099,741 (1936)	200,000 (1910)	1,600,000 (1938)	4
Honan	31,805,621 (1939)	200,000 (1910)	1,800,000 (1938)	5
Kiangsu	36,469,321 (1935)	250,000 (1910)	1,500,000 (1938)	4
Shansi	11,601,026 (1934)	25,000 (1910)	1,500,000 (1938)	12
Hunan	27,186,730 (1940)	20,000 (1910)	2,000,000 (1938)	8
Kweichow	10,487,367 (1940)	10,000 (1910)	1,100,000 (1938)	10
Hupei	24,658,988 (1940)	10,000 (1910)	1,700,000 (1938)	7
Kwangtung	32,338,795 (1939)	25,000 (1910)	500,000 (1938)	1.5
Kwangsi	14,254,609 (1940)	20,000 (1910)	1,000,000 (1938)	8
Anhwei	22,704,538 (1940)	40,000 (1910)	1,200,000 (1938)	6
Kiangsi	13,794,159 (1940)	2,500 (1910)	800,000 (1938)	6
Fukien	11,990,441 (1940)	10,000 (1910)	500,000 (1938)	5
Chekiang	21,776,045 (1940)	7,500 (1910)	600,000 (1938)	3
Tibet	750,000 (estimated)	230,000 (1910)	(no figures available, but said to be considerable)	
Mongolia	880,000 (estimated)	50,000 (1910)	(no definite figures, but said to be considerable)	
Kansu	6,255,467 (1940)	3,500,000 (1910)	4,000,000 (1938)	70
Ninghsia ²	735,767 (1940)	(included in above)	(was said to be at least 50% in 1934, but	

				must be considerably more now)	
				367,883	50
Sinkiang	4,360,020 (1933)	2,400,000 (1910)		43,122,029[sic]	95

¹The following footnote appears in the original: There is something wrong somewhere. This province was carved out later, and the Government figures for this province may have been included in those for Szechuan. Besides, one is not sure how accurate the Government census reports are. No census could have been possible on any accurate scale during war-time. All these figures in the three columns, therefore, should be taken as mere estimates, as Broomhall's and Muslims' frankly are.

²The following footnote appears in the original: The Muslim figures were much higher than the population of the whole province as given by the Government. The population of this province, however, is largely Muslim, and the percentage should be higher than 50%. I am inclined to consider it 75% of the whole population. But unless the Government hold a proper census, no exact figures of Chinese or Muslim population can ever be known.

94

Ali Muhammad Khan to Giles Squire

F. 1026/3-14

CONFIDENTIAL
No. 1268

[MINISTRY OF FOREIGN AFFAIRS], KABUL,
17th Sartan 1326, (10 July 1947)

My dear Excellency,

I duly examined the contents of the *Note Verbale* dated the 4th July 1947¹ which Your Excellency handed over to me, on behalf of the British Government as a reply to a Note from His Highness Sardar Muhammad Na'im Khan, Minister Plenipotentiary of the Royal Afghan Government in London,² as also to my representations³ made to Your Excellency. I laid this *Note Verbale* before the Supreme Council or Minister of my Government, as it had a close bearing on the future relations between Afghanistan and British Government, as also on the destiny of the Afghan race. This Note has focussed on its contents the attention of the Royal Afghan Government on whom its contents had a very grievous effect, because the fact is that originally they had entertained high hopes in British Government's sense of justice, as regards political future of the Afghan race but when they came across and examined the contents of such a *Note Verbale* on behalf of the British Government, contrary to all the expectations and hopes cherished by the Afghan Government and the Afghan Nation, they were indeed struck with feelings of astonishment and concern. In all the historic periods of Anglo-Afghan relations, the British Government

have invariably displayed good intentions and a sense of justice. So we fail to understand why they are conniving [sic] against the legitimate rights of Afghanistan.

2. Afghanistan is highly grateful to the British Government for their showing a sense of justice in the matter of conferring independence on India. So she was confident that the British Government will likewise accord a similar good treatment to the Afghan race and will adopt a similar attitude in regard to the rights of the Afghans, but unfortunately this *Note Verbale* from the British Government is contrary to all the statements made and all the promises held out to the Afghan Government by the British Government in their official Notes and verbal negotiations on the subject of the rights of trans-border Afghans.

3. In their *Note Verbale*, the British Government have stated that the area forming the subject matter of the Afghan Government's representations is an integral part of India.

4. These wordings of the *Note Verbale* in question are far from being rational, just and true. The Afghan Government consider them as travesty of facts. In the Treaty of 1921⁴ or in the previous treaties concluded between the Afghan Government and the British Government there is no phrase or a small sentence to denote that the Afghan Government or Afghan Governments have ever recognised the independent Frontier Belt or the Settled Districts inhabited by the Afghan race of British nationality as an integral part of India. The Treaty of 1921 was executed only between the British Government and the Afghan Government and not with any National Government in India. No National Government in India has, by force or policy, cut adrift from Afghanistan any part of the territories situated on that side of the Durand Line and stretching right up to (Rivers) Jhelum and Indus. If the British Government or the British Rule in India was a National Government or National Rule in India, then what was the significance of all these struggles put forward [sic] by the Indian nation against England, or what is the meaning of the Indian independence in these days?

5. From the time of Lord Auckland, the Governor-General of India,⁵ right up to the Third Anglo-Afghan War,⁶ it was the British Government—and not India—who constantly indulged in aggressive acts against Afghanistan. Lord Auckland was the first Governor-General in India who started to conquer and capture Afghanistan by persuading Ranjit Singh⁷ to make an alliance with him and then by encouraging the fugitive and deposed Shah Shuj-ul-Mulk⁸ to join him in his designs. The British Government have themselves written an account

of these developments on page 205 of their officially published book entitled *Treaties, Engagements and Sanads*.⁹ In this book, the British Government confess that the ultimate borders of His Majesty Ahmad Shah Durrani's¹⁰ dominion stretched from Herat to River Indus and from Balakh to Kashmir.

6. The British Government conquered the Trans-Indus and Trans-Attock territories¹¹ only after fighting bloody battles. On the last occasion when His Majesty Amir Dost Muhammad Khan¹² reconquered Peshawar and all the territories near River Attock and utterly routed the Sikhs who on the persuasion of Lord Auckland were then advancing in these territories, the British Government's army made an attack on the dependencies of Peshawar and wrested them from Amir Dost Muhammad Khan. Many reliable documents bear out these facts which are further corroborated by the Peshawar Treaty of 1855.¹³ Accordingly, the first clause of this Treaty is clearly indicative of the fact that the Treaty in question has been concluded between the East India Company and Amir Dost Muhammad Khan. Again, the third clause of the same Treaty shows that the territories wrested from Amir Dost Muhammad Khan were specifically shown as territories belonging to the East India Company. These territories were of course not shown as integral part of India.

7. History proves that the territories lying between Peshawar and River Jhelum formed the original and permanent abode of the Afghan race. On the other hand, history shows that all the territories stretching from Kandahar to the Trans-Indus areas were and still are the place of residence of the famous Afghan tribes. These territories were accordingly conquered by the British Government from Sardar Rahm Dil Khan,¹⁴ after fighting bloody battles. The history of India and particularly the history of the battles fought also go to substantiate the fact that this part of the country has been the property of Afghans—and not the property of any Indian race—from ancient days right up to the present time.

8. The British Government made a second attack on the late Amir Sher Ali Khan¹⁵ and the ensuing battle culminated in the demise of Amir Sher Ali Khan, the eventual establishment of Amir Muhammad Yaqub Khan's¹⁶ reign and the conclusion of the "Gandumak Treaty" in 1879.¹⁷ This Treaty has also been placed on records under the name of:

A Treaty executed between Amir Muhammad Yaqub Khan and the British Government.

9. This time also the British Government wrested Kurram Valley, Pishin and Sibi from Afghanistan and brought them under their own

control. In this Treaty, the British Government admit in clear terms that these territories will be regarded as having a peculiar position and will therefore be not cut adrift from the Afghan territory for ever. This Treaty also recognises the independence and autonomy of the tribes.

10. The British Government launched a third offensive against Afghanistan and on the establishment of the late Amir Abdur Rahman Khan's Government,¹⁸ they evacuated Afghanistan. In the ensuing struggle, the Afghan borders were determined by the Durand Line. Even in the Agreement executed in 1893¹⁹ between the late His Majesty Amir Abdur Rahman Khan and Sir Henry Mortimer Durand,²⁰ there is not a single provision or a clause to testify that the territories situated beyond the Durand Line form an integral part of India.

The second clause of the "Durand Treaty" runs as follows:

That the Government of India will, at no time, exercise any interference in the territories situated on that side of the Border Line, i.e. on the Afghan side of the Border Line, and similarly His Highness the Emir (of Afghanistan) will at no time interfere in the territories situated on this side of the Border Line i.e. on the Indian side of the Border Line.²¹

11. From this clause of the "Durand Treaty" it is evident that there is no admission that these territories form an integral part of Indian soil. The reason for this fact is that these territories have never been a part of the Indian soil. It is why the wording "situated on the *Indian*²² side of the Border Line" has been made use of and the object in doing so was to denote the exact geographical position of these territories. It is not true that the meaning of this wording was that these territories formed an integral part of the Indian soil.

12. According to the provisions of the 3rd clause of the "Durand Treaty", the British Government cut adrift the territories of Swat, Bajaur and Chitral, etc., from the mainland of Afghanistan, but even in this clause there is no mention of these territories being an integral part of the Indian soil.

13. In the 5th clause of the "Durand Treaty", it is clearly stated that the Border Line will run across the "Koh Khawaja Imran Chains" near "Pashah Kotal" in the British territory. This is tantamount to saying that both the Governments agreed to regard the part of the territories wrested from Afghanistan as "British Territory". The term "British Territory" does not of course imply that these territories form integral part of India.

14. Over and above these documents, when Lord Lansdowne,²³ the then Viceroy of India, encouraged the late His Majesty Amir Abdur

Rahman Khan to initiate entering into written correspondence on the subject of the "Durand Treaty", Lord Lansdowne officially recognised the independence and autonomy of the tribes living on that side of the border.

15. In his letter dated the 23rd July, 1892,²⁴ Lord Lansdowne recognised the independence and autonomy of the Afridis and Orakzais. Similarly Lord Lansdowne regarded the late Amir Abdur Rahman Khan's interference in the affairs of Bajaur and Waziristan tribes as an infringement of the independence and autonomy enjoyed by these Afghan tribes. The significance of the independence and freedom of all these tribes does not of course lie in the fact that all the territories inhabited by these tribes formed an integral part of India.

16. In his letter dated the 29th January 1892,²⁵ Lord Lansdowne recognised the Afghan territories and the Afghan tribes living in a country situated between Trans-Durand Line and "British Territory", as belonging to the independent Afghan tribes. He regarded these territories as the abode of these Afghans and not as an integral part of India.

17. The Treaty of 1921 was also executed on this understanding. Accordingly, the letter appended to this Treaty and handed over by Mr. Dobbs,²⁶ leader of the British Delegation, gives cover to the promises of good intentions and good treatment on the part of the British Government. Moreover, this letter from Mr. Dobbs approves and appreciates the ties of fraternity between the Afghan Government and these tribes.

18. On the occasions of concluding Treaties with the British Government regarding the tribes of the independent Frontier Area and Afghans of the Frontier Province, it never occurred to the Afghan authorities that the term "Freedom of the Frontier Tribes" and the "Assignment of the destiny of Afghans to the justice of the East India Company" or the British Government would imply that the native country and the place of residence of the Afghan race will be considered as an integral part of India and as a matter of fact it is for the first time that I have come across and examined a *Note Verbale* from the British Government on these lines. This of course is wrong.

19. The history and the documents in our possession go to substantiate the fact that the territories inhabited by the Afghan tribes stretched right up to Rivers Indus and Jhelum and that the Afghans are not members of the Indian nationality. Afghans are quite different from the Indians, from the view-point of culture and language. Accordingly, this very difference in culture has drawn a dividing line between the

Indians and Afghans. Detailed accounts on the lines of our above statement have been recounted in the travel books compiled by the European tourists and scholars who often visit India and Afghanistan.

20. Notwithstanding all these documents and arguments we must again emphasise the fact that it was the British Government who conquered and seized these territories from Afghanistan after fighting bloody battles. It was of course neither the Indian nation nor the national Government in India who conquered these territories.

21. The position of the Frontier Province is exactly analogous to that of Burma. The fact is that Burma also is one of the territories conquered by the British Government²⁷ and not by India. The present position is that in these days of justice, Burma has achieved independence.²⁸ This being so, why should the Frontier Province be regarded as an integral part of India.

22. Again, throughout the British rule in India, the Frontier Province has remained a separate entity and not an appendage of the Punjab, Sind or U.P. Now that India is on the threshold of independence, why do the British Government compel the people of the Frontier Province to join either "Pakistan" or "Hindustan". Unlike the German nation, the Afghan nation neither nourished nor nourishes any intention of world conquest or world domination. Nor does she conceive any idea of setting up a big empire. So the Afghan nation does not deserve to be cut into different pieces and thus dissolved and assimilated in the neighbouring nations, because like Japanese and German nations, she has not contributed to the waging of Second World War.

23. I can only conclude that the British Government have devoted no attention to the question of free and independent tribes and the Afghans living in the Frontier Province; because the people of Burma, the people of Hindu race and the Muslims of India have all been given a fair deal, but as regards the Afghans of India and Burma, it is a matter of grave concern and pity to note that an unjust decision has been forced upon them, despite the fact that they took no less prominent part in the first and second wars.

24. We are grateful to the British Government for their statement in their *Note Verbale* to the effect that the sympathy of the Afghan Government towards the Afghans living on that side of the border is a natural one. We are also grateful to the British Government for their appreciation of Afghan Government's anxiety in the political future of the Afghans having blood and language affinities with us. We are in a position to say that no interference on our part has so far been exercised

in Indian affairs. Nor will any interference become manifest in the future. We have, however, a record of the written promises held out to us by the British Government about the independence and prosperity of the trans-border Afghan tribes and therefore we consider ourselves justified in demanding from the British Government the fulfilment of these promises in an equitable way. By resorting to these means we mean to bring our grievances to the notice of the British people and the people of the entire world. Our grievance is that "a part of Afghanistan is being cut adrift from Afghanistan for being offered as a present to India." So we demand justice from the world for the sake of the Afghan nation. We also expect the headquarters of the International Organisation to do justice to our nation.

25. The treatment being accorded to Afghanistan is something like cutting a part of a human body with a sharp knife and then asking that body not to sob and cry. It is of course natural that whosoever is aggrieved and tortured is bound to raise a cry involuntarily.

26. In reply to paragraph 2 of the *Note Verbale* from the British Government, I am writing to state that my Government do not consider the promise held out by the British Government in regard to complete autonomy to which the Frontier tribes are entitled as adequate. In fact my Government consider this complete autonomy within one of the two "Federal Dominions" as a process of dissolution and disorganisation for the Afghan tribes. It is not a good thing to let the interests of a free and independent nation (like Afghans) [be] sacrificed for the benefit of her neighbouring nation. On the other hand, such illegitimate "divisions" produce very grievous and painful results in the world, as the actual experience has frequently shown. To link the Afghan tribes with one of the two Federal Dominions of India is apt to bring about very grave consequences. The young Afghans would not afford to see themselves under subservience, as soon as they see that two Indian nations have become independent. In fact the administration of such an organisation is very difficult. The proposed decision of the British Government is likely to stir up feelings of hostility and enmity between the Afghans and [the] Indians in future. Instead of behaving like good and trustworthy neighbours to one another, the Afghans of the Frontier areas and the people of the Frontier Province of India will prove to be harmful and hostile to one another.

27. It is for this that in the opinion of my Government, the plan that the trans-border Afghans should either join Pakistan or Hindustan is not an appropriate one. Justice demands that on the analogy of Burma, the Frontier Province should also be given a "Dominion Status". The

Frontier people will then become an ally of their neighbouring Dominion of Pakistan and their friendly Dominion of Hindustan. This will also enable the Frontier Province to enter into relations and strengthen these relations with "Pakistan" and "Hindustan" by means of treaties of alliance and co-operation.

28. In view of the uniformity of language and racial ties between the Afghan Government and trans-border Afghans and on the basis of the good promises which the Afghan Government have always heard from the British Government regarding the prosperity of these Afghans, the Afghan Government very emphatically request their friendly Government—the British Government—in this connection and they hope that the British Government will accede to their above-mentioned proposal on the Frontier Province. The Afghan Government will never agree to the dissolution of the trans-border Afghans and their assimilation in either Pakistan or Hindustan. Nor can Afghan Government afford to consider the present British plan re[garding] Frontier Province as an act of friendship or as an outcome of their good intentions. Afghanistan and the whole world will come to know that the object in forcing the free tribes of the Frontier and the Afghans of the Frontier Province to join one of the Indian Federal Dominions is to dissolve and assimilate the Afghan race in their neighbouring nations.

29. In reply to the third paragraph of the *Note Verbale* from the British Government the Afghan Government also desire nothing but friendship with the British Government and the Federal Dominion of India. On critical occasions the Afghan Government have by their actions furnished proof of their goodwill towards the British Government; and today also Afghan policy is based only on friendship and co-operation and not on any improper ambition or illogical objective. Afghanistan has evinced no desire to annex to herself the independent Afghans or the Afghans of the Frontier Province but she cannot bear to see the unjust dissolution of Afghan people, homes and country in the States of India. She considers that the Viceroy of India, Lord Mountbatten's plan regarding tribes of the Frontier Province is contrary to the rights of the Afghans of the tribal territories and settled districts.

30. The Afghan Government is delighted with the independence of Pakistan and Hindustan. They consider the independence of these two neighbouring powers as a great blessing for the peaceful progress of all the Asiatic countries. Afghanistan confidently hopes that the friendly and brotherly relations binding Afghanistan with Pakistan and Hindustan will now be openly and officially established and that Afghanistan, Pakistan and Hindustan will stretch out hands of fraternity

and mutual help to secure their common benefits in every sphere.

31. The Afghan Government also seek justice from their two brother States of Pakistan and Hindustan in matters relating to Afghans of the Frontier Province and independent tribes. Afghanistan believes that her two neighbouring powers and brethren will not think something right for these Afghans which they do not accept as right for themselves, that they will not propose for themselves freedom and for the Afghans slavery and extinction and that they will not make the poverty of the Afghan tribes an excuse for their dissolution.

32. There is no doubt that the peoples of the world today praise the great British people for their sense of right and justice in granting their rights to India and consider this auspicious step as essential for the establishment of peace in the world. The Afghan Government also congratulate the British authorities for this great policy. But they look forward also to the recognition of the rights of the independent Afghans and those of the Frontier Province so that the Afghan race may know that the great British Government are also their friends and well-wishers.

33. In conclusion I would add that just as the sympathy of the two great Anglo-Saxon peoples towards each other during the world wars was legitimate and proper so is the cry of the Afghan people and their sympathy towards the Afghans across the border inevitable and proper also.

With distinguished consideration,

ALI MUHAMMAD KHAN
Minister for Foreign Affairs

^{1,2 & 3}Not available in QAP.

⁴See C. U. Aitchison, comp., *A Collection of Treaties, Engagements and Sanads*, XIII, Part II, Calcutta, 1933, 288-92.

⁵1836-42.

⁶The war started on 3 May 1919 and ended in a stalemate. A peace treaty was signed on 8 August 1919 at Rawalpindi.

⁷Sikh ruler of the Punjab; died 1839.

⁸Grandson of Ahmad Shah Durrani.

⁹Aitchison, *A Collection of Treaties*, XIII, Part II.

¹⁰First monarch of Afghanistan; extended his conquests from Khurasan to Sirhind, and from the Oxus to the Indian Sea; defeated the Marathas in the third battle of Panipat in 1761; died 1773.

¹¹The British Government annexed these territories after defeating the Sikhs in 1845.

¹²Ruler of Afghanistan, 1826-63.

¹³See Aitchison, *A Collection of Treaties*, XIII, Part II, 237-8.

¹⁴Afghan Chieftain.

¹⁵Son of Dost Muhammad Khan; Amir of Afghanistan, 1863-79.

¹⁶Son of Sher Ali Khan; succeeded him in 1879.

¹⁷See Aitchison, *A Collection of Treaties*, XIII, Part II, 240-2.

¹⁸Amir of Afghanistan, 1880-1901.

¹⁹See Aitchison, *A Collection of Treaties*, XIII, Part II, 256-7.

²⁰Foreign Secretary to the Government of India, 1893.

²¹See No. 310, note 6, Vol. II, 589.

²²Underlined in the original.

²³Governor-General of India, 1888-94.

²⁴ & ²⁵Not available in QAP.

²⁶Foreign Secretary to the Government of India, 1920.

²⁷The incorporation of Burma into British India was completed by 1885.

²⁸Burma became an independent republic on 4 January 1948.

95

Louis Mountbatten to M. A. Jinnah

F. 2/205

1446/16

THE VICEROY'S HOUSE, NEW DELHI,
10 July 1947

Dear Mr. Jinnah,

In continuation of my letter No. 1446-16 of the 7th July¹ I thought you would like to hear that all the Provincial Governors have now placed their resignations in my hands, so the way is now clear for you to forward your nominations for Provincial Governors.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 58. The reference apparently is to No. 57.

96

Louis Mountbatten to M. A. Jinnah

F. 2/206

1446/42

THE VICEROY'S HOUSE, NEW DELHI,
10 July 1947

Dear Mr. Jinnah,

I am sending you herewith a copy of an extract from the speech which Mr. Attlee is making in Parliament this afternoon during the debate on the second reading of the Indian Independence Bill,¹ and

which is being released here at 8 o' clock this evening. I thought you would like to see in advance what he is going to say.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹Enclosure 1 to No. 1.

Enclosure to No. 96

F. 2/207-8

10 July 1947

PRESS NOTE

The following is an extract from a speech by Mr. Attlee during the debate on the second reading of the Indian Independence Bill in the House of Commons on 10th July 1947:

"Clause V of the Bill provides for appointment by the King of a Governor-General for each of the new Dominions with a proviso, however, that until provision is made to the contrary by either of the new Dominions the same person may be Governor-General of both.

"That is a pretty clear clause and normally it would be both unnecessary and inexpedient for a Minister here to say anything more about it. The House is aware that the appointment of a Governor-General is made by the King on the advice of his Ministers in the Dominion concerned and it would be wholly improper for H.M.G. in the United Kingdom to be in any way concerned.

"But it is necessary for me to make some further comments because the position in relation to the appointment of the Governor-General of the new Dominions is exceptional. In the first place there is the procedure. It is not possible to follow normal procedure in this case. Under the Bill Governors-General will have to be appointed as from August 15th and although the two Countries become Dominions as from that date, there can be no Ministers formally to advise the Crown until a Governor-General has been appointed and Ministers have taken office.

"In these circumstances it was agreed with Indian Leaders and the King's approval was obtained that the Viceroy would consult the recognised leaders of Congress and the Muslim League as to whom they would wish to recommend for appointment as Governors-General. Then their advice would be tendered formally to the King by

H.M.G. in the United Kingdom. This procedure would of course only apply in the present case. I wish to emphasise the fact that although appointments would be made on the formal advice of Ministers here, they were in fact recommendations of the Indian leaders themselves.

"So much for exceptional procedure in the present instance. But the Viceroy has represented that it would be in the interest of all if some statement could be made at an early date about persons who are to be recommended for these posts. This again is a most unusual procedure and I should inform the House that I have received the King's specific authority for referring to recommendations which are before him and to which assent cannot of course be given until the Bill has become law.

"It had been intimated to us that it would be most convenient to all concerned to have one Governor-General at least in the initial stages, and for some time we proceeded on this assumption. It recently became clear, however, that the Muslim League was in favour of a separate Governor-General to be appointed for Pakistan. It is obviously very desirable for this matter to be settled at the earliest opportunity in order that the position may be understood in India and so that the new Governors-General can prepare themselves to take over after August 15th. Both Congress and the Muslim League, who have been recognized in the Bill as successor authorities, have made recommendations which have been conveyed by H.M.G. to His Majesty.

"While the formal announcement must await the passing of the Bill, His Majesty has intimated that he will be prepared to accept these recommendations as soon as the Bill is passed. The recommendations are in favour of the present Viceroy as Governor-General of India and Mr. Jinnah as Governor-General of Pakistan. I wish to add that the recommendation of Lord Mountbatten is also welcomed by the Muslim League. I am also informed that the Muslim League have agreed that he should be Chairman of the Joint Defence Council, which will be responsible for the Central Administration of the Armed Forces until such time as India and Pakistan are themselves in a position to administer. I am quite sure that the House will agree with me that this recommendation shows that Lord Mountbatten has carried out his duties in India with complete impartiality and has won the confidence of all peoples of India. He has expressed his willingness in the special circumstances to serve in this capacity, at all events during the transition period.

"I wish here and now to pay my tribute to Lord Mountbatten. Great benefits to the future of the whole continent of India would have

followed from his appointment as Governor-General of both the new Dominions. However, this is not to be. As a constitutional Governor-General he will, of course, act on the advice of Ministers in all matters. Nevertheless, he has built up a remarkable position for himself with both parties in India and his wise counsel and great devotion to the public cause without any thought of his own personal position will undoubtedly prove a most beneficial factor in the future development of the whole continent of India."

97

Mumtazuddin and A. A. Abbasi to M. A. Jinnah

F. 918/79

COMMERCIAL LABORATORY AND MUSEUM,
DELHI POLYTECHNIC,
LOTHIAN ROAD, DELHI,
10 July 1947

Dear Quaid-i-Azam,

Herewith a scheme for Technical Education of [*sic* for in] Pakistan, which we are sending to you perforce, since we can trace no one who may be doing the work of planning of education.

This is just a bare sketch of the requirements. Details can be passed on to the proper quarters at your command.

Assalaamo 'Alaikum

Yours sincerely,
MUMTAZUDDIN
A. A. ABBASI

[PS.] Heartiest congratulations on the mighty good luck of the nation in your appointment as Governor-General of Pakistan. God's blessings on you!

ABBASI

Enclosure to No. 97

F. 918/80

10 July 1947

TECHNICAL EDUCATION IN PAKISTAN
INTRODUCTORY

[Paras 1 & 2 omitted]

The terrible consequences of the educational backwardness of Muslim India are too well-felt to need elaboration at this late hour. But what needs stressing is the point that the new education *has to have a purely technical bias*¹ for a long time to come: economic reconstruction first, and culture in due course.

The aim that the Pakistan Education Department must set before itself should be to convert as many schools and institutions as possible into Technical, Vocational and Trade Schools, and to establish Higher Technical Institutions and Polytechnics all over Eastern and Western Pakistan.

The location of these institutions should decide what subjects and courses should be included in their curricula, and every effort must be made to exploit local genius and harness local resources to the fullest extent in the type of Technical Education introduced in a particular locality. The numerous insolvent Islamia Schools all over the country must immediately [be] taken over by the State and converted into Technical Schools.

Top priority has to be given to the planning and execution of this type of education, as without it all our efforts to establish a modern State are doomed to failure. We have much leeway to make, and no speed will be too fast for this hectic world of supersonic transport and communication.

It cannot be over-emphasised that the need for working at high pressure and completing the job in hand by the date-line of 1948 is of supreme importance. Every moment lost may be fatal.

It is with these objects in view that we present below a sketch² [sic] of what we consider our minimum immediate requirements, keeping in view the availability of personnel, resources and materials. It is earnestly hoped that the authorities will take immediate steps to implement the scheme without further delay.

Detailed plans for some [of] the Institutions suggested are well advanced, for others qualified experts must immediately be found and charged with planning and execution. The signatories, with the help of

other qualified co-workers, would be ever ready to help with all the resources at their command.

MUMTAZUDDIN

M.Sc., A. Inst. P., Dip. Rad. Engg. (England),

M.R.S. GB., Assoc. I.R.E.

*Lecturer-in-Charge, Pre-Engineering &
Radio Dept., Delhi Polytechnic*

and

A. A. ABBASI

*Convenor, Technical Sub-Committee,
Delhi Muslim Educational Association,
Lecturer in English, & Superintendent,
Commercial Laboratory & Museum,
Delhi Polytechnic*

¹Underlined in the original.

²Annexures I & II.

Annexure I to Enclosure to No. 97

F. 918/81-2

10 July 1947

A SCHEME FOR TECHNICAL EDUCATION IN PAKISTAN

Existing Institutions	Requirements to be completed by the end of 1948	Remarks
<i>I. Higher Technical Institutions</i>		
1. Punjab Engineering College, Lahore	1. Central Pakistan Polytechnic, Rawalpindi	Details attached
2. N. E. D. Engineering College, Karachi	2. Eastern Pakistan Polytechnic, Dacca	
3. Hailey College of Commerce, Lahore	3. Higher Technical Institute for Tele-Communication & Radio, Karachi (including School for training of Telegraphists & Telephone Engineers)	Details attached
	4. School of Architecture, Lahore	
	5. College of Commerce, Karachi	Details attached
	6. School of Forestry, Abbottabad	On the lines of Dehra Dun School of Forestry

II. Technical Schools

1. Craig Technical Institute, Lahore
2. Civil Engineering School, Rasul

1. Technical High School, Sialkot (with department of vocational training)
2. Technical High School, Lyallpur¹
3. Technical High School, Rawalpindi

Attached to [Rawal-] pindi Central Polytechnic
With department of vocational training

4. Technical High School, Peshawar
5. Technical High School, Chittagong
6. Commercial Institute, Chittagong
7. Technical High School, Rajshahi
8. Technical High School, Murshidabad

3. Ahsanullah School of Engineering, Dacca

To be incorporated with Polytechnic at Dacca

III. Junior Technical Institutions

1. Govt. Inst[itu]te of Dyeing & Calico Printing, Shahdara, Lahore
2. Govt. Weaving Factory, Shahdara, Lahore
3. Govt. Industrial School, Multan
4. Govt. Industrial School, Muzaffargarh
5. Govt. Industrial School, Montgomery²
6. Govt. Metal Works Inst., Sialkot
7. Govt. Industrial School, Jhang
8. Govt. Industrial School, Kasur
9. Govt. Industrial School, Dera Ghazi Khan
10. Govt. Industrial School, Gujranwala
11. Govt. Industrial School, Lyallpur
12. Govt. Industrial School, Rawalpindi
13. Victoria Jubilee Technical Institute, Sukkur
14. B.G. Technical School, Rangpur
15. B.P. Technical School, Krishannagar, Nadia
16. K.K. Technical School, Mymensingh
17. Govt. E.B. Technical School, Pabna

To be expanded to have full courses of study

These institutions are too nebulous to be of any use and must be reorganised wherever necessary

To be incorporated with Tech. High School proposed

These schools are too nebulous to be of any use and must be re-organised wherever necessary

Technical High School, Lyallpur (above)
Technical High School, Rawalpindi (above)
Technical High School, with Higher Courses in Engineering and Hydro-electricity

18. Edward Industrial School,
Bogra
19. Govt. Technical School,
Barisal

After the above-required Schools and Institutions have been established, and trained personnel become available, the existing Junior Technical Schools must be converted into efficient Trade and Vocational Schools or Technical High Schools, according to the requirements of the areas served by them.

The Technical High Schools are meant to produce chargemen and foremen for industry in general, and with local bias, for Loco Workshops, Automobile Workshops, Telegraph and Telephone Workshops, Engineering Workshops, Radio Technicians and *Mistris*, Electrical Wire and Servicemen, Printing Presses, etc. But they will also, after due selection, be available to feed the Higher Technical Institutions, and for specialised jobs.

MUMTAZUDDIN
and
A. A. ABBASI

¹Now called Faisalabad.

²Now called Sahiwal.

Annexure II to Enclosure to No. 97

F. 918/83

A PLAN FOR THE [RAWALPINDI] CENTRAL PAKISTAN POLYTECHNIC

The choice of Rawalpindi for the nerve centre of Technical Education in Western Pakistan is based on many vital considerations—strategic as well as economic. It has the following outstanding advantages:

1. Proximity of the oil-field area;
2. Cement factories at Wah;
3. Kheora and Kalabagh Salt Mines;
4. Possibilities of mining development in the Frontier;
5. Possibilities of hydro-electric development close by;
6. Industrial development expected all round;
7. Nerve centre of Western India transport—rail and road—systems;

18. Edward Industrial School,
Bogra
19. Govt. Technical School,
Barisal

After the above-required Schools and Institutions have been established, and trained personnel become available, the existing Junior Technical Schools must be converted into efficient Trade and Vocational Schools or Technical High Schools, according to the requirements of the areas served by them.

The Technical High Schools are meant to produce chargemen and foremen for industry in general, and with local bias, for Loco Workshops, Automobile Workshops, Telegraph and Telephone Workshops, Engineering Workshops, Radio Technicians and *Mistris*, Electrical Wire and Servicemen, Printing Presses, etc. But they will also, after due selection, be available to feed the Higher Technical Institutions, and for specialised jobs.

MUMTAZUDDIN
and
A. A. ABBASI

¹Now called Faisalabad.

²Now called Sahiwal.

Annexure II to Enclosure to No. 97

F. 918/83

A PLAN FOR THE [RAWALPINDI] CENTRAL PAKISTAN POLYTECHNIC

The choice of Rawalpindi for the nerve centre of Technical Education in Western Pakistan is based on many vital considerations—strategic as well as economic. It has the following outstanding advantages:

1. Proximity of the oil-field area;
2. Cement factories at Wah;
3. Kheora and Kalabagh Salt Mines;
4. Possibilities of mining development in the Frontier;
5. Possibilities of hydro-electric development close by;
6. Industrial development expected all round;
7. Nerve centre of Western India transport—rail and road—systems;

8. Freedom from congestion of bigger cities like Lahore and Karachi;
9. Equable climate.

The [Rawal]pindi Central Pakistan Polytechnic must be A1 priority on the list, and the institution can be and must be got going by the end of 1948, whereas the school section and workshops may be functioning as early as the close of 1947.

We have the nucleus of the staff required for the institution in the personnel of the Delhi Polytechnic who have *en bloc* elected to go to Pakistan. They have the requisite experience, technical knowledge and the will to do the job. Others could be gleaned from the numerous technical institutions and departments of the Central and Provincial Governments, viz. P.W.D., Council of Scientific Research, Radio, etc.

If this staff is transferred immediately to [Rawal]pindi and charged with the task, we are confident of completing the arrangements by the date line [*sic* for deadline] fixed. Most of us have done pioneering work in the establishment of Delhi Polytechnic, and can do it now much quicker and much better, with the fund of information and experience gained during the last five years of spade work.

The need for the immediate establishment of this institution cannot be over-emphasised, if it is remembered that it will have to serve as the training ground of the expert staff for the hundreds of technical schools that have to be opened all over Pakistan in double quick time.

For the time being the available staff will have to carry on. But steps should be taken immediately to call for applications and send abroad at least 50 students for one or two years' intensive training at the best institutions of Europe and America, so that these [*sic* for they] on return can be the helmsmen of the new institutions.

Simultaneously highly experienced people should be recruited from overseas to be at the head of some of the Higher Technical Institutions till such time as native genius can be found and trained.

[*Last para omitted*]

98

Fayaz Husain Shah to Private Secretary to M. A. Jinnah

F. 1108/103

11 CHIRAGH STREET,
McLEOD ROAD, LAHORE,
10 July 1947

Dear Sir,

I congratulate you on your splendid achievement of Pakistan in such a short time.

With the partition of India the youth organisations have also to be partitioned. One of [the] most popular youth organisations is the Boy Scouts Movement, which is spread over the length and breadth of this sub-continent, every educational institution being attached to it.

In the beginning it was run by the Government but later on the Congress started parallel movements under the designation of *Seva Saunti*, National and Hindustan Boy Scouts Associations and the Congress Governments in their provinces supported these associations by apportioning them grants.

With the advent of Pakistan it has become inevitable to start a similar association under the name of "Pakistan Boy Scouts Association" based on purely Islamic precepts.

Preliminary rules and regulations passed after lengthy discussions are enclosed.¹ It is requested that you will not only go through them but will give us valuable suggestions for further improvements.

It is humbly requested that you will guide this movement by accepting to become its "Chief Scout".

An early reply will be highly encouraging to us.

Yours faithfully,
FAYAZ HUSAIN SHAH
Scouter

[PS.] Will you please place the following papers before the Quaid-i-Azam.

¹See F. 1108/104-10, QAP. Not printed.

99

*S. P. Singha to M. A. Jinnah**F. 189/38-41*

20 MASSON ROAD,
LAHORE,
10 July 1947

My dear Quaid-i-Azam,

I wrote to you on the 21st of June.¹ I hope my letter reached you.

You are aware of the result of the election to the Constituent Assembly. Mine was more a protest than a contest. But even then I was very near winning the election, had it not been for the all-out effort on the part of the Congress to keep me out as a punishment for having accepted your leadership and voting for Pakistan on the 23rd of June. At the last minute they withdrew the Congress candidate in favour of Rai Bahadur Ganga Saran, who had pledged his vote to me, and even the Scheduled Caste Unionist, who had pledged loyalty to the League, voted on the sly with the Congress, having been won over through promises made by Dr. Gopi Chand Bhargawa and the underhand work of Sardar Zulfiqar Ali Khan Qizalbash, a bosom friend of Rai Bahadur Ganga Saran. Khan of Mamdot knows the dismal details of the transaction.

It seems a sin to bother you with small matters during these crucial days when your time and energy are taxed to the utmost. I am writing to you not to trouble you with a paltry thing like the above but to seek your advice on a matter which in my humble opinion is important enough to deserve your consideration.

I have had a letter from Mr. Walter Biscoe² from England in which the following occurs:

My latest news of you is that you have carried with you the Indian Christian vote into Pakistan and with them, have moved the Anglo-Indians. Well Perkie³ I feel you have done the right thing and the God-guided thing by your community.... I am still as sure as ever I have been that God's plan for Pakistan can be discovered more surely in Caux than anywhere else. I am praying that He will open the way for you to join us there.... I expect by now you have received your invitation to Caux from the Committee of the House of Commons.... The French Government want to send 130 Party Members to it. In Norway a special Cabinet meeting was held to decide who ought to be there. The Danes are sending top-flighters from their army. Large number of

the Italians will be there. There are some who have made their reservations. There will probably be 1,200 there at a time and at least 5,000 before it closes down.

I have received the invitation to attend the Conference at Caux in Switzerland from Mr. Stan Awbery, M. P.⁴ In the course of his letter he says:

In preparation for the Assembly⁵ at Caux this summer, two meetings have already been held in Parliament, at which I have acted as Chairman. Members from both sides of the House were present as this is not a party affair. As a result, a sizeable British Parliamentary delegation will go to Caux in two main parties, leaving London on August 11 and August 25. The wives and families of members are coming too.

In addition, I have personally visited Paris, Oslo, Stockholm, Copenhagen and Helsinki and invited Cabinet Ministers and Members of Parliament to attend or to be represented. Others of my colleagues have visited other capitals, for we consider the Assembly of the first importance in the domestic and foreign policies of the free nations.

We felt that you and other Indian statesmen who will be helping to carry the fresh responsibilities of self-government at this crucial moment in India's history, would want to know what is being done. If it is possible for you to attend and take part, you could help us still further in your common fight.

I have no desire to make a short trip to London and the Continent and incur considerable expense unless I can be some service to Pakistan. If the visit has your approval, I shall accept the invitation. And if you will be kind enough to give me some time when I can come to see you, I would like to take a message from you and obtain your instructions in regard to the line I should take in my speeches and interviews. If you can trust me as a good Pakistani, I think the international gathering at Caux will furnish a good venue to boost the new country.

Yours sincerely,
[DEWAN BAHADUR] S. P. SINGHA

¹Not available in QAP.

²Chief Operating Superintendent, North Western Railway; retired in January 1947.

³Nickname of S. P. Singha.

⁴Labour Member of Parliament.

⁵World Assembly for Moral Rearmament. See the *Pakistan Times*, 17 July 1947.

100

*Mohammad Zakaullah to M. A. Jinnah**F. 832/49-52*SIMLA,
10 July 1947

My dear Quaid-i-Azam,

At the very outset, allow me to congratulate you from the core of my heart on the most brilliant success attending your unremitting efforts which have found their embodiment in the attainment of the long-cherished ideal of the Muslim nation—Pakistan.

During my stay in Delhi in connection with the meeting of the League Council held in June last,¹ this humble League worker made endeavours, more than once, to present himself in your audience to discuss certain matters arising out of the establishment of the Pakistan Government, which are most likely to affect the future of millions of our Muslim brethren, but was not fortunate enough to be allowed the privilege of my interviewing your good self. I presume that this was probably due to your being fully engrossed with the consideration of certain important problems which had necessarily come to the forefront in the wake of the settlement of the political issues of Pakistan and India. I respectfully beg leave to point out, however, that the questions which were agitating my mind at that time were equally important corollaries to that very settlement and were once calling for your serious and immediate attention.

It is understood that a number of devoted Muslim League workers of Ambala and Jullundur Divisions sought an interview with your good self long before the announcement of the division of India on the 3rd June 1947,² an announcement which doubtless resulted in the isolation of millions of Muslims of Western Bengal and Eastern Punjab, who, it cannot be disputed, have paid a very heavy toll both in life and property towards the attainment of their cherished goal of Pakistan. But one cannot help thinking how highly discouraging it is for such devotees of Islam not to have received even a reply to their request either in the negative or in the affirmative.

You doubtless know more than anyone else that with the establishment of Pakistan, overwhelming majority of the members of our community at present living in non-Pakistan areas, who have been electing to go to Pakistan, are those who belong to Government service and for

whom alone at present every effort is being made to provide all facilities in Pakistan. This has created a consternation in the minds of private individuals who are strongly feeling that they are being left in the lurch as in respect of this particular class of persons, the High Command has given no instructions whatsoever so far. To illustrate this proposition [*sic*], let me quote the instance of Simla. A very large proportion of the Muslim inhabitants of Simla, both officials and non-officials (particularly the shopkeepers in the latter case), are in the process of making their way to the Pakistan area while the number of those sticking to this place is but meagre. This residue of the Simla population are finding themselves in a strange quandary as they realize that (1) politically speaking, they will be left in a hopeless minority whose voice will doubtless be like a voice in the wilderness in regard to every matter affecting their interests, and (2) because of their extremely poor numerical strength it is not unlikely that they would be swept out of their very existence by the overwhelmingly large combine of Hindus and Sikhs whose hearts are no doubt burning with feelings of vindictiveness which they may give vent to at any moment, resulting in the widespread devastation and loss of Muslim lives and properties. This combination apart, their apprehensions are accentuated by the fact that the Simla District is enveloped by a large number of Hindu Hill States whose willing support will give further reinforcement to the most evil and ill-conceived designs of the combination mentioned above. Is it to be inferred therefrom that, now that the aspiration of attaining Pakistan has been realized at the sacrifice of Muslims belonging to non-Pakistan areas, they will now be cold-shouldered and that step-motherly treatment would likewise be accorded to them in future. May God, it may be, that all these suspicions and misunderstandings that have given birth [*sic*] due to the High Command's utter silence on the question specified above turn out to be unfounded, and our implicit faith in the High Command may remain unwavering as before.

Apologising for causing disturbance to you by butting in on your valuable time, I take the liberty of submitting the following few suggestions aiming at the provision of safeguards in respect of the Muslim minorities in the non-Pakistan areas:

1. An immediate announcement be made to the effect that all Muslims in Hindustan (India) should not migrate to Pakistan areas so that our present reasonable strength may not be reduced to a negligible level, and that a definite assurance be given to the Muslims living in Hindustan that the Pakistan Government as a

sovereign independent State will not only express their determination in mere words for the protection of their lives and property but will also enter into the necessary treaties or alliances with the India Govt. with a view to making adequate arrangements to safeguard their lives and properties.

2. Immediate steps to be taken to make such alliances and the following points may in particular be taken into consideration while effecting them:
 - a. Protection of life and property
 - b. Preservation of Muslim religion, culture, language, economics, civilization, etc.
 - c. Fixation of Muslim representation in the public services, high or low, including those in Local Bodies and District Boards, etc.
 - d. Reservation of seats in Central and Provincial Assemblies, Local Bodies, District Boards, etc., on population basis
 - e. Introduction of the system of separate electorates everywhere in respect of the institutions mentioned in para (d) above so that Muslims' solidarity may not be shattered and remain intact
 - f. In so far as the administrative machinery is concerned due regard should be paid to the Muslim representation at the time of formation of Ministries in every Province according to their population and that such nominations to the Ministries be made with the consent of the Muslim League.
 - g. In order to maintain our Islamic culture and civilization it should be provided in the constitutions of both the Dominions that the Muslim educational institutions are absolutely at liberty to get themselves affiliated with those existing in the Pakistan area. Similar facilities be allowed to the Hindu educational institutions in the Pakistan Dominion.

As far as possible care should be taken to see that a reasonable proportion of the permanent staff of both the Central and Provincial Governments is retained in India and that as a set-off against this, a majority, if not all, of the temporary Muslim staff be taken to the Pakistan Government or else it is quite difficult to imagine that the latter will be absorbed in the rival Government. If this is not done the entire bloc of the temporary staff will be thrown out of employment and will find themselves helplessly stranded. The ultimate result would be that the whole India Government would be found manned by non-Muslims particularly in view of the recent declaration of their future policy that further recruitments to the Government Departments would be governed by individual merits alone.

The last but not the least [*sic*], an immediate circular should be sent round to the Presidents of all the District Muslim Leagues in Eastern Punjab and Western Bengal that pending the issue of instructions in this behalf by the Muslim League High Command, they should prevail upon the Muslims in their respective areas to refrain from migrating from their present places of residence to the Pakistan areas.

Before concluding this rather lengthy letter, however, I may confess that the tone of this letter would smack of a little audacity on my part but I have poured out my heart to my beloved Quaid-i-Azam in good faith on the strength of the following well-known Persian proverb:

Karam Ha-i to Ma-ra Kard Gustakh

[Your benevolence has made me impudent]

Yours ever sincerely,

MOHD. ZAKAULLAH

President, District Muslim League, Simla

¹The Council of All India Muslim League met in New Delhi on 9 June to consider the British Government's Plan of 3 June and passed a Resolution authorising Jinnah to accept the "fundamental principles of the Plan as a compromise". See Enclosure to Annex to No. 41, Vol. II, 96-7. Also see Enclosure to Appendix III.6, *ibid.*, 840-6.

²No. 1, *ibid.*, 1-6.

101

Nawab of Amb to M. A. Jinnah

F. 35/2

SHERGARH, AMB STATE,
P. O. OGH1, HAZARA DISTRICT,
11 July 1947

My dear Quaid-i-Azam,

I wonder if you have received my letter of 16th June 1947.¹ This was sent to Abbotabad by a special messenger when news arrived that you were coming there in a day or two. As your visit did not materialize, Sheikh Sajjad Ahmed Jan, Advocate, Abbotabad, and my Legal Adviser, sent the letter to you by registered post. As no reply has been received so far I am afraid it may have [been] miscarried in the post or otherwise. I am attaching a copy of that letter.²

As all hopes of your visiting the Frontier in the near future have receded for the time being, I am very anxious that one or two of my

representatives should come to see you and place before you certain important matters relating to my State for your valuable advice and guidance. I know you are very busy attending to extremely important matters on the advent of Pakistan. Even so I do hope you would be able to find some time to meet my representatives who will acquaint you with some of the important affairs that immediately face my State which, although situated in a far-flung corner, has an importance all its own as a border Islamic State on the North-West Frontier.

I shall be grateful if you will very kindly let me know the earliest date and place convenient to you for the purpose.

Yours sincerely,
[MUHAMMAD FARID KHAN]

¹⁸²No. 124, Vol. II, 289-91.

102

Anonym to Ghulam Hussain Hidayatullah

F. 613/6

KARACHI CLUB, KARACHI,
11 July 1947

My dear Sir Sahib,

I have great pleasure in informing you that the Managing Committee at their meeting held this evening have unanimously decided to treat Quaid-i-Azam Mohammad Ali Jinnah and Miss Fatima Jinnah as the honorary members of this Club.

I shall feel grateful if you will make it convenient to convey the above Resolution of the Managing Committee to them. The usual membership cards are enclosed herewith.¹

Yours sincerely,
[SIGNATURE ILLEGIBLE]

Hon'ble Sheikh Ghulam Hussain Hidayatullah,
Karachi

Forwarded with compliments to Quaid-i-Azam Jinnah and Miss Jinnah.

GHULAM HUSSAIN
President, Karachi Club

¹Not available in QAP.

103

M. A. Gurmani to M. A. Jinnah

Telegram,¹ F. 267/1

BAGHDADULJADID,
11 July 1947

Mr. Jinnah, New Delhi

His Highness agrees regarding Malir land. Reaching Delhi 19th morning and shall discuss details personally.

GURMANI
[Prime Minister,
Bahawalpur State]

¹Copy by post available in F. 691/2, QAP.

104

Ghulam Hussain Hidayatullah to M. A. Jinnah

F. 286/37

SIND SECRETARIAT,
KARACHI,
11 July 1947

My dear Quaid-i-Azam,

Our heartiest congratulations and our warmest blessings on your appointment as Governor-General of Pakistan. I am most happy, and so are all of us here, over this most felicitous event. God be praised for it.

2. I spoke to your sister on the phone to-day, and I also sent you a wire.

3. Kindly let me know what we should do for your reception here. As Premier of Sind, I wish to give a banquet in your honour. I do hope you will accept it.

4. Kindly let me know well in advance when you are coming to Karachi.

With our kindest regards and all good wishes and blessings to your sister and yourself from us all.

Yours sincerely,
GHULAM HUSSAIN

105

Kazi Inamal Huq to M. A. Jinnah

F. 764/1-4

10/1 BRIGHT STREET, CALCUTTA,
11 July 1947

Revered Sir,

If I remember aright, it is not very long ago that you made a statement in the newspaper[s] encouraging the Musalmans for their suggestions that were being received by you in those days. And since this humble dreamer of Pakistan was one of those contributors, he also became joyous for your generosity in acknowledging the same. But meanwhile he was very much anxious to see that his suggestions were taken into consideration by their practical application in the building up of our nation. It was, however, found to my utter disappointment that none of the suggestions was given any effect possibly because of their non-importance for the benefit of the nation in your estimation. In spite of my failure to impress upon you the benefit of my humble suggestions I have again presumed to trouble you and I know not how far I shall be able to convince you of the necessities [*sic*] of taking into consideration the suggestions I am forwarding herewith, when the future constitutions [*sic*] of Pakistan are going to be framed.

Many of my friends and associates think it is my madness to write to you on subjects which ought not to have been written by an insignificant man like me, since I have no *locus standi* in the political field. But I know not what impels me today to put forward my views and ideas to you, considering it my duty to do so. If conviction has any meaning in one's life my suggestions will certainly have your due consideration while the framing of the constitutions [*sic*] of Pakistan will be made. I know I am poor, insignificant, and not very highly qualified and rich to aspire for a secured position like those so-called politicians of the day but I truly feel [*sic*] and love my brothers-in-Islam and I think I have every right to speak out and ventilate my

responsibility for the building up of the nation. I, therefore, would like to suggest that there should be distribution of work to all classes of people in the fields of politics, business, education, health, science, religion, etc., and people from all classes must be utilised to develop the industrial and trading lines in the country. A nation's strength greatly depends on its position in trade and commerce and as such it is a foremost question to be solved without any loss of time.

I strongly believe [that] if you ask the people of Pakistan to go on contributing [at the rate] of at least Rs. 10 p. m. in the Habib Bank in their personal name as fixed deposit consecutively for five years on the clear understanding that their money will be converted into shares of different industrial homes to be started by the State, it will not be very difficult to accumulate several hundred crores of rupees within no distant date. And the business magnates then may be utilised [sic] on terms of maximum 7½% of the net profit to develop different industries in the country. I solicit your immediate attention in the matter and pray you will [give] a careful consideration to this.

Since our country is agriculturally not very improved, it is of utmost importance that agriculturing [sic] in modern scientific method is carried [on] immediately and most of the released labour force may be engaged in developing industries. We cannot allow our people to starve without employment and as such the first duty of the State will be to find out immediate means of livelihood of all our people so that they may not find opportunities to curse our long-cherished land of peace and happiness. After so much of commitments we cannot go back to [sic for on] our own words and allow the State to be monopolised by the capitalists or any section or class of people. Pakistan is a State meant to be a happy home for the poor and we wish our Quaid-i-Azam will guide us aright to reach our destination. We are today one solid block [sic] ready to face any eventualities that may confront us on our way to attain[ing] our long-desired goal. It is up to our Quaid-i-Azam to see that we reach our destination safe and sound. We want to see him as torch-bearer of the whole Muslim world in every walk of their lives. We want to see him not as Ataturk¹ or Shah of Persia² or Afghanistan³ who in spite of their very many [sic] able guidance brought in a certain Western stamp in the lives of the peoples of their respective places and due to which Musalmans of those places have lost their own idealism of life and have degenerated into a race of imitators. Thus, the Musalmans of those places have virtually met defeat in their lives by accepting Western civilization which I believe is the root of all evils in the world. While we have so many things to contribute to the

world it is funny that we are receding far away from our own home and taking shelter at others' place and garbing ourselves in their fashion. I hope our Quaid-i-Azam will understand the spirit of my sayings and direct his attention and energies to unite all Musalmans of the world for the common purpose of following the paths shown by our Holy Prophet in every walk of our lives and God will surely help him to bring permanent peace and happiness in the world and his name will remain in the history of the world ever great and glorious.

Long live our Quaid-i-Azam!

With my humblest regards,

Yours most faithfully,
KAZI INAMAL HUQ

¹Mustafa Kemal, Turkish statesman and reformer; founder of modern Turkey, 1880-1938.

²Reza Shah Pehlvi, 1877-1944.

³Amanullah Khan, 1892-1960.

Enclosure to No. 105

F. 764/5-15

Trade and commerce are the life-blood of a nation. The prosperity of a nation greatly depends on its position in business, trade, and commerce in the world. And as such it is imperative that the whole country is industrialised and every people [*sic*] of the State is made to think and act in [*sic*] the line of improving the national wealth by putting in every ounce of energy in the matter. The people must feel that every endeavour that they will make will not go unrewarded and they will have their respective shares of profit. Unless this is done the idea of Pakistan and its objects which have so long been giving inspiration to the masses will not bear any charm for the hungry millions of the country and virtually the State will lose all forces to maintain its independent status in the world.

Our experience in the past has taught us one lesson and that is the tremendous force of a collective body which we call our nation. So long as we lived individual lives we were utilised as tools and pawns by our exploiters having no status of our own. The moment we came to realise our defects and began to think and act collectively, a dying nation was brought to life and its force has been recognised by the whole world today.

We are going to have our homeland—Pakistan—for which our

people have toiled, struggled and sacrificed so much. But before building our home we must bear in mind that every individual being of the State has got the right to enjoy the benefits and comforts of home equally with others, whether he be poor or rich. The economic structure and the planning of industrialisation of the whole country should be such that there will be no room for the capitalists or the exploiting section to grow in the country at the expense of the hungry millions.

While not discouraging any private enterprise in the field it should be the policy of the Pakistan Government to curtail the power [of] and give a check to [sic] the exploiting tendencies of the capitalist section in the country. The State must assuredly stand for the amelioration of the distressed conditions of the people in general and not for any section or class of people, thus making an ideal home to the envy and admiration of the whole world. It must set an example by itself and contribute largely its mite to the solution of permanent peace and happiness in the world.

Since it is not possible to take up the responsibilities of developing industries in the country immediately by the State itself, which should be the object in future, it will be only expedient for the State to modify and include certain laws and bye-laws in the existing forms of acts and practices. Besides, any future project or endeavour that will be made and which comes under the purview of the present Indian Company's [sic] Act must be under the direct control of the Government and will rigidly follow the conditions to the satisfaction of the State. Government also in these cases will be very particular and should in no case grant permission of floating any such institution without being satisfied of the abilities and worthiness of the person or persons concerned. Immediate amendment of the Company's Act is essential from the point of view of giving a check to [sic] the mishandling of public money and for the saving of the public from the exploitation of the capitalist section (if Indian Company's Act is to govern the trade concerns of Pakistan also). The following amendments should at once be made to the best interest of the State and its people in general:

1. No director, managing director, board of directors, managing agent, etc., should be entitled to a remuneration [of] more than $7\frac{1}{2}\%$ (if not 5%) of the total net profit of any company and in case of inadequacy of profit, or no profit, they will have nothing as their share of profit.

2. Besides the remuneration, the appointment or payment for any extra services by any director or directors, managing director or agents, etc., must be approved and fixed by the government, who must be

particular in assessing the paying capacity of the company before any decision is made. And for this a schedule of rates must be worked out to suit the conditions.

3. The first board of directors, which will not be less than 10 in number, must qualify themselves with the purchase of shares before the company can possibly go for registration. Unless the bank balance of a company is produced before the registrar no company will be incorporated and will be entitled to open or sell shares in the market.

After applied [*sic*] for incorporation no amount of the company's fund will be drawn by anybody for any purpose till the commencement of the business without the sanction of the registrar, who will only allow such expenditure for the maintenance of the office not exceeding a certain limit in a month.

4. The director's share-holding qualification is the maximum number of shares which can go to any individual member whether he be a director, managing director, managing agent, etc., or head member [*sic*] of a joint family. This maximum number is 250 ordinary shares or 25 preference shares.

5. Any company with a share capital below Rs. 10,00,000 will have ordinary shares valued at not more than Rs. 10 each and preference shares valued at Rs. 100 each.

6. For every increase of share capital up to Rs. 10,00,000 the value of the ordinary shares will also increase by Rs. 10 each and Rs. 100 each in case of preference shares.

7. No single share will be forfeited although dividend will not be paid until the value of the share is realised. In case of allotment of more than one share, if payment fails for the full value even after the grace period the party will be entitled to only those shares the value of which will be covered by the money already received by the company from him.

8. One-third of the total number of shares of the face value, one-third of the issued capital of each company must be reserved for the working class, labour and peasants of the country.

9. A commission of not more than $2\frac{1}{2}\%$ will be paid to any share-selling agents.

10. All share-selling receipt books of all companies must be sealed by the Registrar, Joint-Stock Companies, before the company will be authorised to use it for selling any share.

11. In issuing share capital the Registrar will follow a certain policy of issuing certain number of shares along with receipt books supplied by the company and sealed by the registrar on return of which further

issue of shares along with sealed receipt books will be made over to the company.

12. No share will be sold except on those receipt books the counterparts of which will go to the office of the Registrar.

13. Any mishandling or misappropriation of public money will be punishable with a minimum of 3 years' R. I. Besides, the shares owned by the guilty persons will be forfeited up to the extent the misappropriation will be made.

14. Allowances for maintaining office must be ascertained by the government who will follow a schedule of rates in fixing up this.

15. Any local or foreign private or public limited company when carrying on any business or opening any branch in Pakistan area will have to give 50% of its profit to the State (if the profit is over Rs. 2,500 a year) and will have to follow strictly the rules and regulations regarding the appointments, working hours, pay-scale, etc., of the staff, both superior and inferior.

15A. Government must have a body [of] experts in the Registration Dept. who must be thoroughly conversant with the world trades and statistics. This body of experts will advise and guide the Registration Department as well as the Income-tax Department in matter[s] of sanctioning any business to float in any locality, place or part of the country just to give a check to [sic] over-production or excess in particular lines of businesses, trades, etc., and to encourage or to guide people to develop such businesses, trades or industries in particular lines where the existing ones are far below the requirements. This department [will] from time to time through its publicity organs publish statistical figures [sic] of the needs and requirements of the country in each branch of trade, industry, and commerce.

15B. All public limited concerns will have to place their accounts every half-yearly before the Income-tax Department for proper check and audit of the same. At the close of each year the department, after proper check and audit of the accounts of each company, will ascertain the percentages of dividends to the share-holders and the remuneration of the directors or the managing directors which again will have to be approved by the Accountant-General, Government of Pakistan. When the final decision will be made regarding the percentages of dividends of the share-holders and the remunerations of the directors or the managing directors, the declaration of the dividends of each company will have to be made in the newspaper consecutively for one month. In case any share-holder is exempted from getting a dividend, he will refer his case to the Accountant-General who will take necessary

action for that. In this respect a time-limit will be fixed for the company to dispose of all cases.

16. All businesses, trades and industries, whether proprietorship or partnership concerns or private or public limited concerns, will have to take out their respective licences, to be hanged [sic] in front of their business places, from the Income-tax Department before they start their businesses. These licences will have to be renewed every quarter of the year the rate of which will be fixed by following a procedure as are being followed in every municipality of a city in respect of trade licences; care being taken to see that none of these licences exceed half the present trade licence fees. Anyone found carrying on any business without licence will be criminally prosecuted and punished with not less than one year's R. 1. Thus the Pakistan Income-tax Department will have a different way and standard of realising taxes and that to realise 50% of the net profit of each business provided the yearly income exceeds Rs. 2,500 and to set up a licence department of its own to grant licence to each business or trade concern and also to all other professional men and landholders etc.

After the amendments are made in the Company's Act the shareholders of the already existing companies under the State will have to forego their extra shares and profits.

The department of the Registrar, Joint-Stock Companies, shall work under the direct control of the Central Pakistan Government as a section of its Commerce Department. This Commerce Department will have the ultimate object of industrialising the country itself with the help and assistance of so many I.C.S. officers and business magnates of the country.

Government will, however, start immediately with the business projects through its existing Co-operative Department which will have to be enlarged. With its existing staff it has already made a contact with almost all places of the country, not excepting the rural parts. The present staff with some more assisting hands and some I.C.S. men at the top will certainly make a headway in introducing co-operative business from village to village, town to town, city to city, meeting the daily requirements of the people. The fund will be created from the people of the State on the same basis of not selling more than 250 shares to one person or to the head of a joint family. This Co-operative Department, besides starting co-operative stores, will also take up the business of foodgrains, spices, betel-nuts, tobacco, etc., and all other raw materials. The businesses in the aforesaid things must be exclusively controlled by the Co-operative Department and all agencies,

local or foreign, will be fed by the department only so that no bargaining influence will have any effect on these trades.

The present Civil Supplies Department will be amalgamated with the Co-operative Department which, with its existing staff of experienced hands, will be of immense help to systematize the whole project. The Co-operative Department will have different sections to deal with different lines of trades in the aforesaid lines. Besides, procurement, export, import, etc., are to be done exclusively by the Government or under Government supervision and control.

Above all, jute which has got a world market and is a monopoly business of Bengal should be a matter of our immediate attention. Jute in its raw form has got very little market in the world. And as such it is of primary importance that some mills are immediately started for the manufacture of hessian and other jute-products to maintain our relationship with world trade. It is of course not impossible for the Government to take up this project and without losing any time Government should start immediately 100 jute mills in the vicinity of our future port of Pakistan (Eastern). The capital that we shall get from the present Government of Bengal (as share of asset[s]) by way of compensation must be fully utilised for the purpose. Besides, some loan from the jute-consuming States, like U.S.A. and U.K., will not be very difficult to get. It is no use living in palaces having no means to feed ourselves and as such we must concentrate our mind on developing our industrial houses rather than erecting magnificent edifices for our Secretariat buildings, Assembly Houses and other Government Houses. People are often found to raise the point of insufficiency of our expert hands in developing industries. Although not untrue, it cannot be considered as a handicap in our way. We may for sometime have to depend on outside or foreign experts, but within a short time it will not be very difficult to get our boys trained in the lines to make them fit to take up the responsibilities. As regards the labour class, the same arguments can be applied. Besides, labourers who do not require a great knowledge in any particular line can be trained up without any great loss of time and money. The only thing we require is to start the wheel and it will not be very difficult then to see it moving fast.

Our resources are limited and we will have to act under great disadvantages. And for this we must have a vigilant eye on all sides to see that nothing is done [which is] useless and no energy or amount is misspent. We should also take into consideration the time factor and the urgency of needs which are to be met without having [sic] much dislocation of the present system of administration prevalent in the

country, although we will have to thoroughly overhaul the whole system of administration in the long run according to the principles of Islam and identical with the past ruling States [sic] of *Khulafa-i-Rashidin*. We have been depending on foreign or Hindu industrialists or capitalists for most of our requirements. But the pressure of time and circumstances now will teach us to steer our own wheel and that [too] very successfully.

Ours is a country mainly of agriculturalists and its natural resources in developing industries are not to be neglected although in our Pakistan area we have but very few natural resources to be utilised. But in any case we must make the best use of those few we have got. And it must be our object to release as many hands as possible from among the agriculturalists who sit practically half of the year to be engaged in developing industries country-wide, thus giving them full scope to earn handsomely for their livelihood without jeopardising their personal interests in their lands and proceeds. This can only be done by introducing large-scale agricultural projects and farming with modern tools, plants, and machineries [sic] which not only will enhance the progress of work with considerably lesser cost and shorter time and to the exemption [sic] of those labourers who are subjected to hard labour even at the cost of their lives and mainly depending [sic] on nature for the richness of the harvest but will also facilitate the scope of developing the productive power by modern scientific method[s]. Besides, this will bring a sense of co-operative spirit in the minds of the people in every walk of their lives, and save them from future exploitation and ultimate destruction or ruin.

With the existing staff of the Survey Department and some more hands it will not be very difficult to make a plan of demarcating lands suitable for cultivation as well as for growing [sic] of villages and towns. Now, after the preliminary survey is complete, the lands for cultivation will be divided into so many parts which will come under different zonal heads. These zonal heads will formulate ways and means and necessities of introducing modern agricultural process of cultivating these lands with least number of manpower and with the greatest advantages of the machineries [sic]. They will also try to improve the harvesting capacity of the land by scientific manuring and by taking irrigational works and other necessary precautions. There will be a fixed area which will come under each zone and the landholders of each zone will have to forego $1/3$ or $1/2$ of the proceeds of their lands in favour of the department with which the department will maintain the staff and create a fund for future necessities. There

will be absolutely no difficulty in ascertaining the portions of shares of each land-holder since there will be records of the owners in each zonal area. No share-holders, however, will be entitled to hold more than 100 *bighas* of land and none will be permitted to sell the proceeds except to the department.

Tariff Board must be set up for the control and prevention of any sale without the knowledge and consent of the State. Besides, the Board will decide the future terms and relations with foreign traders in the best interests of the State especially in the matter of duties, taxes, imports, and exports, etc., through the Customs Department.

The question of health of our people is another matter of urgent importance. Our people are mostly unhealthy because of the insufficiency of their diet and hardship of life due to extreme poverty. Since we are going to have an extensive programme of nation-building works it will help to improve the lot [of those] who suffered so much in the past. But in any case we must have an extensive project of establishing medical homes and hospitals (1st grade) at every town with all necessary arrangements and instruments etc., which are required in a first-grade hospital. Besides, there will be charitable dispensaries in every village and beds for 10 patients attached to it. It should be the aim and object of the department to see that first-class medical help is within the easy reach of the poor-class people.

There is another thing which should not escape attention and that is the question of beggars. Most of these beggars are either invalid or old or there is none to look after them. It is, therefore, necessary for the Government to open homes for these invalids and orphans. And after doing this, Government should stop people from begging by making special laws.

There is something more which also deserves our immediate attention and necessary action. It is to prohibit prostitution, adultery, gambling, bribery, and the business of excise goods [*sic*], etc., which ruin the morale of a nation to a great extent. These should be stopped by enforcing special acts to punish the victims with not less than 10 years' R. I., if not with death sentence.

Above all, there is a crying need of educating our masses to make them fit and conscious about their duties and responsibilities towards the State. This can only be done by giving free education to our boys and girls up to a particular standard which should not be in any case less than the present matriculation standard. Besides, night schools for adults (men and women) should be started to impart education to them in the line of religion, sociology, politics, and economy, etc. Our

boys and girls must have compulsory physical training and religious education till their matriculation course is complete. Every boy and girl must have this minimum qualification to qualify him[self] or herself as a subject of the Pakistan State. Of course non-Muslim boys and girls will have option to choose any subject other than Arabic as compulsory subject. The present system of education must be changed and education in the kindergarten system must be introduced and that also on purely Islamic lines. The ultra-modernism or the imitation of the Western civilization which has very much weakened our social and religious idealism of life has got to be abandoned for ever and we must establish our own idealism in every walk of our lives.

Islam never wanted to keep our womenfolk out of touch with the progress of the world by keeping them confined in home-prison in the name of *purdah*. But it has also not encouraged [them] to exhibit their physical beauties [*sic*] in public by not observing *purdah* in the strictest sense as is sanctioned in Islam. Co-education and free mixing of males and females are strictly forbidden in Islam. Besides, they must have to [*sic*] keep their bodies covered excepting their faces, palms up to wrists, feet up to ankles (like the nuns) not by *shari* [*sari*] or *kurta* and *orhni* only but by something which we call *burq'a* and which gives a dignified and distinctive appearance to one who wears it. The saying of prayers and other religious obligations should be observed by our boys and girls from the beginning of their lives so that they may turn to be true Musalmans in habit, custom, and spirit when they attain their maturity. Recognition of the Hindustan Government for the Muslim schools affiliated with the universities of Pakistan must be obtained in any case to impart education to Muslim boys and girls there, according to their own liking. It should be the foremost duty of the State to materialise the scheme of introducing free education even by curtailing the non-important projects and by imposing taxes on the capitalist section whose minimum income within a year comes above certain limit (super-tax and sur-tax). Besides, a portion of *Zakat* fund may be utilised for the purpose.

Lastly, the necessity of starting Mission [*sic*], *Zakat* and *Bayt al-Maal* Boards are [*sic*] felt very badly. Since non-Muslims know nothing about our religion it should be propagated to win their hearts and thus to help in transforming the whole non-Muslim world into Muslim world not by sheer physical power but by reasons, arguments, and actions.

The Mission Board [*sic*] will have its branches all over Pakistan in every village, *thana*, town, and city. Every mosque will be transformed into units of the Board wherefrom a correct census of the people will be made and a donation at the rate of 2 pice for the adult and 1 pice for the minor per

head per week will be realised as compulsory donation, other than voluntary donations. The Mission people will also conduct prayers and give religious education and sermons to the people. The touring missionaries will preach Islam and try to convert people to accept Islamic faith.

Besides raising of donations and conducting of prayers, recruitment from every village or town on the basis of one per 20 and one per 100, respectively, of Muslim National Guards and *Mujahids* out of the total population of the Muslims will be made by this Board. The M.N.G. will be formed to assure the safety, and maintain the peace of their respective places. The *Mujahids* who will have to sign the death-bond will be given proper military training and will be placed in some place to train the M.N.Gs. to make them fit to face any eventuality which may threaten the safety and peace of their country.

Zakat and *Bayt al-Maal* Departments will be started to realise the *zakat*, *fitra*, and other donations. The *zakat* rate will be fixed after the report from the I. T. Department reaches [sic] and accordingly realised from the traders. As regards professional men and land-holders some standard rates be fixed in matter of realisation of *zakat*. The *zakat* fund will be utilised in opening invalid homes and orphanages and giving stipends to poor deserving students.

To raise funds for this plea or that by this person or that or by any organisation must be stopped for good by making special laws and none other than the Zakat Board will be entitled to raise it on prescribed receipt books sealed by the authority.¹

From the revenues and the income of the State, after meeting the expenses of the various departments working under it, half the amount must be spent after [sic] free primary education up to Matric standard and opening of hospitals and invalid homes, sending students abroad for higher education, specially technical and scientific, and half of the remaining half to be spent on military units and scientific research works, the remaining being reserved for publicity and other important branches of the State Government of Pakistan.

Ours is a mighty nation with lofty ideals of life, suited to the requirements of the modern world irrespective of caste, colour, and creed. We must make it known to the world for their consideration and acceptance. Islam has introduced the most practical theories of life in all its aspects and it is up to us to make it known to the world. By attaining our long-desired Pakistan, we have been faced with greater problems than ever to make our State an ideal home not for ourselves only but for those non-Muslims who happen to be in our midst. These non-Muslims must be treated with extreme fairness and love. They must be made to feel equally

happy with the Muslims to be subjects of Pakistan State instead of shuddering at the prospect of falling in the hands [*sic*] of the Muslim Pakistan State. This can only be attained by the sacrifice of our greed, comforts, and vested interests and by checking the sectional or group interests of capitalists, both Muslims and Hindus.

Long live our Quaid-i-Azam² and let him guide us aright to reach our goal.

¹Underlined in the original.

²In capital letters in the original.

106

Stephen Irwin to M. A. Jinnah

F. 136/40

ARMED FORCES RECONSTITUTION COMMITTEE,
ARMY SUB-COMMITTEE,
NEW DELHI,
11 July 1947

My dear Mr. Jinnah,

I was very grateful to you for your statement at the Partition Council yesterday that you had confidence in the Army Sub-Committee to carry out their job within the principles upon which the leaders had agreed.

I would like to assure you that in selecting the three Muslim members—Brigadier Raza, Colonel Mohammed Sher Khan and Lt. Col. Akbar—the best interests of the Pakistan Army, in this planning stage, are in very able and intelligent hands.

Yours sincerely,
STEPHEN IRWIN
C.B., C.B.E.
Major-General

107

*Ahmedali Jinnah to M. A. Jinnah**F. 509/4*

BOMBAY,
11 July 1947

My dear brother,

It is indeed the proudest day of our life [*sic*]. You have more than deserved all the honours that can be bestowed on you. You have performed a miracle. You have given birth to the largest Islamic Kingdom [*sic*] in the world.

You will remember telling father that an astrologer had predicted that you would be one day the uncrowned king of India.

His words have come true.

Your[s] affectionate[ly],
AHMED[ALI JINNAH]

108

*Press Statement by M. A. Jinnah**F. 788/33*

11 July 1947

Mr. M. A. Jinnah, President of the All India Muslim League, has issued the following statement to the press:

"The Jammu & Kashmir Muslim Conference leaders, Chaudhary Hamidullah Khan and Mr. Mohammad Ishaq Qureshi, had an interview with me today and they informed me of the situation there which is making the people restive. They placed before me the question of the detention of the Muslim Conference leaders who have been in jail now for nine months without trial. Their only offence was that they held the Muslim Conference session in spite of prohibitory orders of the Government. But they soon dispersed and did not proceed with their business. Only six leaders were arrested to which no resistance was offered and everything went off peacefully. For such a technical offence they have already suffered nine months and I see no justification

for their continued detention. I hope that the Maharaja and the Prime Minister of Kashmir will realize the fast changing circumstances and wisdom demands that feelings and sentiments of Muslims who form 80 per cent of the population should not be ignored, much less hurt.

"The second question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Hindustan or the Constituent Assembly of Pakistan. I have already made it clear more than once that the Indian States are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent. I have no doubt that the Maharaja and the Kashmir Government will give their closest attention and consideration to this matter and realize the interests not only of the ruler but also of his people. We have made it clear that we are not going to coerce, intimidate, or put any pressure on any State making its choice. But those States who wish to join the Pakistan Constituent Assembly will find us ready and willing to negotiate with them agreement for the mutual advantage of both. Those who wish to declare their complete independence may do so. Pakistan Government is willing to come to such terms with them as may be beneficial for both and secure mutual and reciprocal interest.

"Lastly, I hope that the Muslims of Kashmir will organize themselves and create complete unity and solidarity among the Musalmans under their wise leadership."

109

J. Lobo to M. A. Jinnah

F. 1057/82

1ST SANKLI ST. CROSS LANE,
NO. 5 HAJI ISMAEL BUILDING,
37 & 37A TOP FLOOR, BYCULLA, BOMBAY,
11 July 1947

Sir,

I am writing this note to offer you my humble congratulations on the great and historic occasion of your appointment as the Governor-General of Pakistan. May Almighty God grant you health and strength

to rule over it for many, many years, and to make it a great nation of the world, *primus inter pares* (first among equals).

I hope Miss Jinnah and yourself are in perfect health, and with my best wishes and respectful regards to you both,

I remain,
Yours respectfully,
J. LOBO

110

Manzar-i-Alam to M. A. Jinnah

F. 227/27

ALL INDIA STATES MUSLIM LEAGUE,
LIAISON OFFICE,
DELHI,
11 July 1947

My dear Quaid-i-Azam,

Your order that the Liaison Office of the All India States Muslim League at Delhi be closed down was communicated to me by Mr. Rasool Khan Pathan today at 5.30 p.m. I consider it my duty to obey your command and, therefore, I have closed this office with effect from this hour.

I have already posted a letter to you on the 9th of July¹ and desire to see you as early as possible. I am leaving Delhi tomorrow by air and shall return here, *Insha' Allah*, on the 21st of July. I request you kindly to give me the opportunity of an interview on any date after my return to Delhi.

Hoping to be excused for this trouble and with best wishes for your good health.

Yours sincerely,
MANZAR-I-ALAM

¹No. 84.

111

K. E. M. M. Ibrahim Marecar to M. A. Jinnah

F. 832/43-4

MUSLIM ELECTION ACTION COMMITTEE,
FRENCH INDIA,
KARIKAL,
11 July 1947

Sir,

In furtherance of the reports already submitted in connexion with the status of French India Muslims and their needs, their demands in the political field, we beg to bring the following lines to your kind notice for necessary action:

H. E. Mr. Baron, Acting Governor of French India, has left for France last week to report to the French Minister for Overseas Territories about the future constitution of French India. But a great secrecy is being kept here on his mission. So also is the case at Paris, as it transpires from a news [which] appeared in *The Mail*, Madras, dated July 10, p[age] 5, col[umn] 7. The same paper contains on p. 7, col. 3, a statement of a Councillor of Republic, Mr. V. Subbiah, whose ineligibility will be shortly decreed and who has since returned to Pondicherry to study local conditions.

Though he advocated till now the fusion of French India with Hindustan, he is said to have changed his idea since his return, in view of the repressive measures taken by the Congress Govts. against Communists like him. He is now said to be in favour of a separate State of French India linked to France and Hindustan as well by common treaties.

A Christian leader, interviewed of late and who is in close touch with the Pondicherry official circles, declared that the five French Settlements in India¹ will be declared by France as Free Towns, *Villes Libres*, shaping each one her own constitution, even with the option of fusion with Hindustan if so decided by their people, and having a double nationality—French and Indian—like the British Dominions and in the model of Anglo-French Empire Union proposed by Mr. Churchill some days before the fall of France in 1940. A semi-official party known as "Socialist Group" has been formed at Pondicherry, especially with this end. The report of H. E. Baron and Mr. Roux, French Ambassador at New Delhi, will fall in line with the above-said scheme.

Mr. Roux is an influential man at Paris. One of his near relatives,

Mr. Francois Charles Roux, is already one of the Ambassadors of France, and President of French Empire Committee (*Comite de l' Empire Francais*), a semi-official, conservative and influential body that decides the French colonial policy.

Now that Pakistan has become a reality, France will treat with equal regard both Hindustan and Pakistan, whereas, before [the 3] June declaration,² the French Government were more interested in coaxing Congress leaders than [in] giving due weight to the demand of local minorities (Muslims and Christians who till 1944 had separate electorate with half the total representation at Pondicherry and Karikal).

It is said also that Mr. Roux, French Ambassador at New Delhi, will shortly leave for France to report. So, it is very urgent that Muslim League leaders take up the problem of French Indian Muslims with him as well as with the French Minister for Overseas Territories through the French Ambassador at London. In a nutshell, our demand is this:

1. Separate electorate,
2. One-third of seats in all elected bodies, and
3. Representation at Paris Parliament.

This is the most favourable time to press our demands, as the constitution of French Empire is being prepared at present at Paris and the relative Bill should be presented to the French National Assembly (Parliament) before 31st July 1947. Will the British Indian leaders help us or let us down at this critical juncture?

K.E.M. MHD. IBRAHIM MARECAR
President

¹Chandernagore, Pondicherry, Karikal, Mahe, and Yanam.

²No. 1, Vol. II, 1-6.

112

Geoffrey Miles to Louis Mountbatten

F. 2/236-7

SECRET/PERSONAL
D.O. No. 201

NAVAL HEADQUARTERS,
NEW DELHI,
11 July 1947

Your Excellency,

You asked me to send you a list of names of officers whom I consider to be suitable to command the Pakistan Navy on the transfer of

power. In my opinion there is not at present an Indian officer with sufficient experience to take on this task. I would, therefore, propose that in the first place the officer selected should be a British officer of the R.I.N. I have, also, considered whether it would be desirable to ask for an officer from the R.N. but with the peculiar circumstances of India, I feel quite sure he would not be able to carry out this duty as well as an officer in the R.I.N. who has had long experience of Indian conditions and of the workings of Naval Headquarters.

2. I would, therefore, suggest that the officer selected should be granted the rank of Rear-Admiral and should be called the Flag Officer Commanding the Royal Pakistan Navy and be engaged in the first place, for a term of one year.

3. I consider that either [sic] of the following officers are suitable, but are given in my order of preference:

COMMODORE J. LAWRENCE, C.B.E.

He is forty-five years old and has had about twenty-six years service in the R.I.N. He has had a normal amount of sea experience and in command and in recent years has held the appointment of Chief of Staff at Naval Headquarters which he has filled with outstanding ability. His knowledge of the Service and organization and administration of Naval Headquarters is unrivalled.

COMMODORE J. W. JEFFORD, O.B.E.

He is forty-six years of age and has about twenty-five years service. He has had the normal amount of sea time and in command. He has been particularly successful in command of training establishments and recently has had a lot of experience at Naval Headquarters as Chief of Personnel. He is at present the Chairman of the Naval Partition Sub-Committee.

4. I would propose that the Flag Officer Commanding the Royal Pakistan Navy should have a Muslim officer as Chief of Staff who would in all probability eventually succeed him. There is only one Muslim officer of sufficient seniority to be considered for this post. He is Acting Captain H.M.S. Choudri, who has about thirteen years service. Even if he is the only one, I consider him in every way suitable to hold this post.

Yours sincerely,
GEOFFREY MILES
Commander-in-Chief,
Royal Indian Navy

113

Louis Mountbatten to M. A. Jinnah

F. 2/209

THE VICEROY'S HOUSE,
NEW DELHI,
11 July 1947

1446/8

Dear Mr. Jinnah,

I thought you would like to know that the present Parliamentary programme for the Indian Independence Bill is as follows:

HOUSE OF COMMONS

July 10th—Second reading
July 14th—Committee stage
July 15th—Remaining stages

HOUSE OF LORDS

July 16th—All stages
Royal assent is expected to be given to Bill on July 17th or 18th.

Yours sincerely,
MOUNTBATTEN OF BURMA

114

Louis Mountbatten to M. A. Jinnah

F. 2/212

THE VICEROY'S HOUSE,
NEW DELHI,
11 July 1947

38/17

Dear Mr. Jinnah,

I am forwarding herewith a draft of the statement I propose to issue asking for British personnel to stay on for the interim period during the reconstitution of the Armed Forces.

I feel it is most important to get this out as soon as possible and I should be grateful if you would let me have your comments as early as possible to-day, Friday.

Yours sincerely,
MOUNTBATTEN OF BURMA

*Enclosure to No. 114**F. 2/213*

[DRAFT STATEMENT OF LOUIS MOUNTBATTEN]

The Indian Armed Forces have now to be reconstituted in accordance with the policy agreed by the Indian leaders. All concerned are convinced that British officers are needed for the period during which the Armed Forces are being divided and reconstituted.

The Commander-in-Chief and senior officers of all three services at Defence Headquarters are staying on for this period. The Commander-in-Chief, who is assuming the title Supreme Commander, will be responsible under the general direction of the Joint Defence Council of the two Dominions for reconstituting the Armed Forces. At the invitation of Pandit Nehru and Mr. Jinnah, I have willingly accepted the chairmanship of this Joint Defence Council. The Supreme Commander will continue to be advised by the existing Naval, Army and Air Staffs. When the task is done the Supreme Commander and these other British officers will go, but others will be required to see the Defence Forces of the two Dominions firmly established.

The strain which will be thrown on officers of the Indian Services in carrying out this reconstitution, in addition to ordinary administration and training, will be considerable and if a large number of highly trained and experienced British officers are suddenly removed the risk of a serious breakdown will be very real.

Pandit Nehru and Mr. Jinnah have expressed the desire and hope that the requisite number of British officers and Other Ranks, including technical specialists, will stay on. I share their feeling and hope that British personnel will volunteer in large numbers, although I want it to be clearly understood that no one will be compelled to serve on if he does not wish to do so.

The terms and conditions of service under which British officers and Other Ranks will be asked to volunteer have been approved by the representatives of both the new Dominions and by me, and His Majesty's Government in the United Kingdom have concurred.

These terms will be published immediately.

I shall be proud to be associated with those who will stay on and help in this great task.

115

M. A. Jinnah to Louis Mountbatten

F. 2/211

11 July 1947

Dear Lord Mountbatten,

I am in receipt of your letter of 11th July¹ enclosing a draft of the statement you propose to issue asking the British personnel to stay on for the period during the reconstitution of the Armed Forces.

I suggest that in paragraph 2, should be added at the end of the sentence beginning with "At the invitation of Pandit Nehru" and ending with "Joint Defence Council" the following words, "as an independent Chairman".

Yours sincerely,
M. A. JINNAH

¹No. 114.

116

Firoz Khan Noon to M. A. Jinnah

F. 399/182-3

LAHORE,
11 July 1947

Dear Mr. Jinnah,

Indeed all Muslims have cause to be grateful to you for taking on heavy administrative responsibilities just when you could have justly claimed a little well-deserved rest. But you alone could have guaranteed our unity and a firm administration broad-based on a democratic system. I wish you all success.

I am told Radcliffe¹ is not due here till the 22nd.

We are trying to whip up support from the Anglo-Indians, Christians, and Depressed Classes for inclusion of the Jullundur Division in West Punjab. Din Mohammad² and Munir³ are working well and hard. The former would be a great help to you should you want him for some work under you. I know him well and he is a man of outstanding ability. You will have to draw on similar men from all over India.

Yours sincerely,
FIROZ NOON

PS. One cannot buy a single iron nail in Lahore. Consumer goods are being taken away from here by the cart-load by Hindus.

¹Sir Cyril Radcliffe, Chairman, Punjab and Bengal Boundary Commissions.

²Judge, Lahore High Court, 1936-46; Member, Punjab Boundary Commission.

³Mohammad Munir, Judge, Lahore High Court; Member, Punjab Boundary Commission.

117

H. M. Patel to M. A. Jinnah

F. 1/206

SECRET

No. P.O.-19/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
11 July 1947

The undersigned is directed to circulate to the Members of the Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Thursday, the 10th July 1947.

H. M. PATEL

Enclosure to No. 117

F. 1/207-17

SECRET

MEETING OF THE PARTITION COUNCIL HELD ON
THURSDAY, THE 10TH JULY 1947, AT 10 A.M.

The following were present:

His Excellency the Viceroy

Mr. M. A. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad

The Hon'ble the Defence Member

His Excellency the Commander-in-Chief

The Principal Secretary to His Excellency the Viceroy

Mr. H. M. Patel

Mr. Mohamad Ali

Brigadier Elliott

Lt. Col. V. F. Erskine-Crum

Major General Irwin, Chairman, Army Sub-Committee,

A.F.R.C. (Case Nos. PC/34/4/47 and 36/4/47 only)
 Commodore Jefford (Case No. PC/37/4/47)

CASE NO. PC/26/4/47

His Excellency circulated the following note which had been handed him by Sir Cyril Radcliffe, Chairman of the Boundary Commissions, and said that he would like approval to sending a cable to H.M.G. immediately to effect the necessary amendment to the Bill.

"I think that the provisions of the Indian Independence Bill¹ (clauses 3 and 4) dealing with the 'awards of Boundary Commissions' need clearing up.

"The Bill, as drawn, does not say what is to be represented by an 'award'. We have to envisage not merely that it may have to be arrived at by a majority, dependent on the Chairman's casting vote, but that it may in fact consist of a series of decisions, some of them arrived at by a majority on one side, some by a majority on the other.

"Unless there is something in the Bill covering this explicitly, I think that dissatisfied people might afterwards maintain that majority decisions did not amount to a valid award at all.

"I suggest adding a new sub-clause to clauses 3 and 4 on these lines.

'For this purpose the award of a Boundary Commission shall mean the recommendations of the Chairman of that Commission contained in his Report to the Governor-General at the conclusion of the Commission's proceedings'."

Points in discussing the note were that the expression 'casting vote' was inaccurate in that it implied that the Chairman had two votes, a casting vote in addition to his own. It was accepted that this was not the intention, and that the Chairman would have only one vote. After some discussion the position was clarified as being that the members of the Commissions were akin to assessors and the Chairman would act in the role of Umpire and give his awards.

It was agreed that the draft circulated should be communicated to H.M.G. with this amendment that the first two lines should read:

"For this purpose the award of a Boundary Commission shall mean the *decisions*² of the Chairman...."

CASE NO. PC/27/4/47
 [NOT PRINTED]³

CASE NO. PC/28/4/47

His Excellency pointed out that His Majesty the King would with the passing of Indian Independence Bill renounce the title of 'EMPEROR' which would thereafter disappear from all coinage, official documents, etc. He felt that it would be a graceful act if he could convey to His

Majesty the intimation that he should continue, when signing official documents, to write 'GEORGE R. I.'. He felt that very few people would notice or understand the significance of the letter 'I'. It was pointed out that this would be inconsistent with the actual position and His Excellency undertook to discuss the matter further with Mr. Jinnah.

CASE NO. PC/29/4/47

His Excellency mentioned that Lord Ismay while in London was discussing with the Chiefs of Staff the future defence needs of the two dominions, as well as the overall defence relations of the British Commonwealth with the two dominions. He mentioned that he had instructed Lord Ismay to take the line that there was no immediate urgency in this matter and that it would be more appropriate to get down to detailed discussion on these matters after 15 August when the main problems of partition had been cleared.

CASE NO. PC/30/4/47

His Excellency mentioned that Sir Cyril Radcliffe had enquired whether in the decisions of the Boundary Commissions account should be taken of natural features, providing defensible boundaries and markings for general administrative convenience. The Commander-in-Chief said that considerations of defence could be ignored but pointed out that rivers, which might appear to form suitable natural boundaries, in India frequently changed their courses and would not therefore provide a fixed boundary.

The general view was that so long as the Boundary Commission[s] do nothing inconsistent with or in violation of the fundamental principles laid down in the terms of reference,³ they can do what they consider best.

It was agreed, however, that no directive in addition to the terms of reference should be given to the Boundary Commission[s]; it should be left to their discretion to interpret the terms of reference.

Mr. Liaquat Ali Khan drew attention to a misprint in clauses 3 and 4⁵ of the Bill which referred to the awards of the Boundary Commission[s] in the plural when it would be in the singular. The correction would be communicated to H.M.G. telegraphically.

CASE NO. PC/31/4/47

His Excellency said that he had received a communication from His Highness the Maharaja of Patiala asking him to receive a deputation of Sikh V.C.Os. and soldiers, many of whom had served under him in South East Asia Command. He felt that the deputation might bring up questions affecting the Boundary Commission, though it was possible that they would perhaps be more anxious to get an assurance that grants of land already made would not be disturbed. He realised the

danger of allowing the deputation to raise the question of boundaries as the whole matter was now out of his hands.

Mr. Jinnah pointed out that although he was doing everything in his power to retain a hold over the Muslim sections of the population concerned to honour the undertaking given that the findings of the Boundary Commissions, whatever they were, would be accepted, he had noticed that the Sikh leaders were still reported to be inciting their followers to offer active resistance to decisions which they might regard as unfavourable. It was reported that active preparations for resistance were being made and that oaths to resist were being taken. The impression on the Muslim mind was that the Sikhs were carrying on this agitation in order to influence the decisions of the Boundary Commission. In consequence any suggestion that a Sikh deputation was being received to raise the question of boundaries would have a most undesirable effect.

His Excellency reiterated that he had made it abundantly clear to His Highness the Maharaja of Patiala, S. Baldev Singh, Master Tara Singh and all other Sikh leaders, with whom he had had interviews, the consequences of any attempt to offer active resistance. No responsible government would tolerate for a moment such action, which would be met by the immediate employment of the regular armed forces of India. In view of the superiority in aeroplanes, tanks, artillery, etc., that the armed forces enjoy, such action would inevitably result in very severe losses being inflicted on those who would only be armed with rifles and out of date weapons. He reaffirmed his hope therefore that the Sikh leaders would be able to restrain their followers. His Excellency said he had been assured by Sir Cyril Radcliffe that he will be able to submit his reports by the 14th August. In conclusion His Excellency said that he would communicate with H. H. the Maharaja of Patiala, and make it clear that if he received the deputation no questions regarding boundaries could be brought up; and if the deputation were received this fact would be made very clear in a press note.

CASE NO. PC/32/4/47

His Excellency raised the question of the constitution of the Arbitral Tribunal⁶ which he felt should now be set up in readiness in case it was wanted. He pointed out that both sides had agreed that the Federal Court was not a suitable body, particularly as it was the intention for it to remain in existence in India after partition. For this reason it could not be regarded as impartial. His suggestion was that the Chief Justice, Sir Patrick Spens, should be asked to resign from his present position and to take up the position of Chairman of the Arbitral Tribunal, to which would be added one judge selected by each side and accepted as suitable by him.

It was agreed that Sir Patrick Spens after undertaking this duty should be debarred from accepting any further employment or appointment in India. It was understood that it was his intention to leave the country on completion of the work.

It was agreed that His Excellency should draft a letter to Sir Patrick Spens, of which he would send a copy to the two leaders, asking him to undertake the work of Chairman of the Arbitral Tribunal on the above conditions.

CASE NO. PC/33/4/47

LIAISON IN THE CIVIL FIELD BETWEEN THE TWO FUTURE GOVERNMENTS IN DEFENCE ADMINISTRATION

It was suggested that the note should be reworded to include some reference to the provision of financial advice for the Joint Defence Council. It was, however, pointed out that it was the intention to make provision for financial advisers in the civil secretariat.

DECISION

The Partition Council accepted the recommendations of the Armed Forces Reconstitution Committee contained in para 6 of the note.⁷

CASE NO. PC/34/4/47

CERTAIN DECISIONS OF THE ARMED FORCES RECONSTITUTION COMMITTEE REGARDING THE ALLOCATION OF ARMOURED CORPS AND INFANTRY UNITS AS BETWEEN THE ARMIES OF INDIA AND PAKISTAN

Major General Irwin, Chairman of the Army Sub-Committee, was present and a further elucidation of the note circulated with the agenda was given. He explained the working of his sub-committee. All problems were first considered by the separate sub-syndicates, non-Muslim and Muslim, of the sub-committee; they then jointly compared views and their recommendations were discussed with him and the other British officers of the sub-committee. In all cases recommendations had been unanimous and no influence had been brought to bear by any of the British officers.

The proportion of 8 regiments to 15 was misleading to the extent that it did not take into consideration Gurkha units; if these were added the proportion could be taken as 8:18.

Even these figures were somewhat misleading in that they referred only to regiments, and as a regiment could consist of anything from three to six battalions, the proportion of regiments did not exactly reflect the proportion of active battalions. In the first stage of partition the actual number of battalions would be 45 Pakistan: 64 India. As, however, all the Pakistan battalions contained a greater or lesser proportion of Hindus and

Sikhs, the actual numerical strengths would be equivalent to 33 Pakistan: 64 India (of the latter 40 were all Hindu and 24 were mixed Hindu and Muslim). When the Sikh and Hindu elements were removed from Pakistan battalions, the final equivalent strength of battalions belonging to the Union of India would be 76. To this had to be added 12 Gurkha battalions which were excluded from the above calculations. The final proportion, therefore, would be Pakistan 33: India 88. It was pointed out that this split was conditioned by the actual number of serving soldiers of the two communities now in the army, and the numbers could not be varied until such time as separation had taken place and detailed re-organization put in hand, that is until 31st March, 1948. An assurance was given that companies transferred from one dominion to another would take their personal weapons and equipment with them, as also the appropriate proportion of the unit equipment.

No questions were raised regarding the distribution of regiments of the Indian Armoured Corps.

The Partition Council *approved* the distributions of infantry and armoured corps units recommended by the Armed Forces Reconstitution Committee.⁸

CASE NO. PC/35/4/47
POLICY OF PUBLICITY

[*Not printed*]⁹

CASE NO. PC/36/4/47
ALLOCATION OF ARTILLERY AND ENGINEER UNITS
AS BETWEEN INDIA AND PAKISTAN

Major General Irwin explained that the distribution of artillery units as between India and Pakistan reflected the actual number of Muslim and non-Muslim units as they existed in the army today.

His Excellency in summarising the position said that it would appear that the distribution had been made on the actual communal set-up as it existed, and as it happened, that resulted also in each dominion having a properly balanced force of artillery, with the exception that Pakistan would be required to convert one Heavy A. A. Regiment to a Field Regiment, and one Light A. A. Regiment to an Anti-tank Regiment; and that India would be required to convert one Field Regiment to a Heavy A. A. Regiment. There would be an exchange of equipments between the dominions, and conversion could be undertaken when the initial change of locations was complete.

With regard to engineers, it was pointed out that the current reorganization on a purely communal basis was not quite complete and that the present average was 90:10. The remaining adjustment would be made at a very early date when changes of locations were complete.

There was then a general discussion on procedure to be adopted regarding the consideration of papers put forward by the Armed Forces Reconstitution Committee. It was pointed out that the agenda for the present meeting had reached Members late the previous evening and as they were naturally unfamiliar with details of military organization they had come to the meeting in no position to make intelligent comment on matters under consideration.

1. It was agreed that in future papers of this nature should be circulated 48 hours clear before the meeting, and that once decisions had passed the Armed Forces Reconstitution Committee, the chairmen of communal sub-syndicates of either of the three Services Sub-Committees would be available to advise or elucidate matters to the leaders of either side.
2. It was agreed that the India sub-syndicate of the Army Sub-Committee should visit Sardar Patel's house this afternoon to clear up any further points on which he was in doubt.
3. The Committee agreed, therefore, to accept the recommendations of the Armed Forces Reconstitution Committee regarding the distribution of artillery and engineer units subject to the proviso that either side after consulting Service experts could before this evening telephone to His Excellency asking for a further reconsideration of the matter. If no such requests were received it would be assumed that the agreement of the Partition Council was effective from 12.00 noon on 11.7.47. This proviso extended also to the agreement accorded to Case No. PC/34/4/47.

CASE NO. PC/37/4/47

PARTITION OF THE ROYAL INDIAN NAVY

Commodore Jefford, Chairman, Naval Sub-Committee, explained the working of his sub-committee. The communal sub-syndicates had in the first case made their own recommendations separately, and he had also prepared his own list. On comparison it was found that there was a difference of only one ship between the three, which was adjusted by general agreement and the recommendations made were unanimous.

His Excellency said that he thought that the division made was on common sense lines in that it was based on the actual needs of the two dominions rather than on an exact arithmetical split. Consideration should be given to the fact that the Order of Battle of India would be increased by the addition of one cruiser which would restore the proper proportion of fighting ships which at the moment was slightly more favourable to Pakistan.

The Commander-in-Chief mentioned a paper prepared by Commander-in-Chief, Royal Indian Navy, on the general principles

governing the Naval requirements of the two dominions. He said that it was an excellent paper and commended it for study to the leaders of both sides. He promised to send a copy to His Excellency who said that he felt that consideration of this paper should be deferred until after 15 August when the Joint Defence Council also would consider it. The Partition Council agreed to the recommendations subject to the proviso given at (3) in Case No. PC/36/4/47.

¹Enclosure 1 to No. 1.

²Underlined here and subsequently in the original.

³See F. 1/208, QAP.

⁴Enclosure to Annex I and Annex II to No. 312, Vol. II, 597-8.

⁵Enclosure 1 to No. 1.

⁶Enclosure to No. 52.

⁷Enclosure 1 to No. 87.

⁸Enclosure to No. 66.

⁹See F. 1/214, QAP.

118

Haji Abbas Ali Shah to M. A. Jinnah

F. 162/284

ARYA BHAVAN, GRAHAM ROAD,
BALLARD ESTATE, POST BOX 817, BOMBAY,
11 July 1947

Respected Quaid-i-Azam,

Permit me to address you direct, but I will be very brief.

With the grace of Almighty and your indomitable strength, [now] that we have achieved Pakistan it is the duty of every one of us individually and collectively to make it economically and materially self-sufficient. Others have hampered our progress all along and no effort on their part will be too great to cripple Pakistan. As you have often said, we must be able to stand on our own legs in all spheres of life.

My purpose in writing this letter is to offer my mite for the development of Pakistan. I am a medical man having 20 years of standing practice in certain special branches to my credit. After ten years of intensive research work I have evolved a specific against T. B. and at present I am Managing Director and Chairman of a private limited company manufacturing these medicines together with other pharmaceuticals. I understand there is not a single pharmaceutical firm (let alone a Muslim firm) in Pakistan. I intend to start a public limited company of the above nature on the model of May & Baker, England, or The Bengal Chemical and Pharmaceutical Works in Sindh. I may add that I myself belong to the Sindh Province.

I seek your esteemed advice and valuable guidance in the matter.

Yours respectfully,
HAJI ABBAS ALI SHAH
M.B.B.S., M.B.G.C. (Germany),
M.A., M.S.

119

E. W. Slaughter to M. A. Jinnah

F. 1108/111

78 OLD BROAD STREET, LONDON,
11 July 1947

Dear Mr. Jinnah,

I have followed your problems ever since we met in Bombay, when we discussed the possible formation of the Industrial Corporation for the probable Pakistan States, with great interest, and have now to offer you my sincere congratulations. It must be the great event in your life, and I trust your health will stand up to seeing some of the constructive work which has to be done to some degree of finality.

One of the problems that your government will have before it is the railways and development of road services, and to what extent you can obtain co-ordination between these two services as one economic measure in your reconstruction.

I send you herewith a copy of a paper¹ I read at the Royal Society of Arts recently on the effect of co-ordination of transport services which, as you know, I built up in Hyderabad, and I thought that this might be of some use to your Minister who will have charge of communications. In it you will see I referred to the importance of cheap transport, which necessitates, in my opinion, road and rail transport under one financial structure. The railways in India are in for a very difficult time; the rising costs of both labour and materials will necessitate your government giving great attention to this matter as soon as constructive measures are possible.

I am no longer in Hyderabad, but acting as the Railway's² Agent in London. If there is any help that I am able to give to your Ministers on the technical problem I shall be happy to do so.

Yours sincerely,
E. W. SLAUGHTER

¹Not available in QAP.

²H.E.H. The Nizam's State Railway.

120

Secretary of State to Viceroy

Cypher Telegram, F. 2/221-2

SECRET/IMMEDIATE

11 July 1947 (TOO-2020)

No. 8962/2228-S

Recd: 12 July 1947 (TOR-0600)

Following for Abell from Carter. Reference message to me from Ismay in Viceroy's telegram No. 1659-S of June 30th.¹ Please inform His Excellency that Cunningham is willing accept Jinnah's offer of Governorship of NWFP subject to conditions stated below.

2. He does not wish to commit himself to a period beyond April 1949 at latest.

3. The terms he suggests are as follows:

- a. Salary and allowances as previously;
- b. Salary to be made free of income-tax in order to compensate him for expenses of a house etc. to which he is committed at home and also for loss of Director's fees of £ 3,000 a year which he will be surrendering;
- c. Cost of transit including out of pocket expenses to Peshawar and eventually back home for himself, wife and lady housekeeper. He wishes to bring the latter out in order to avoid burdening wife with housekeeping. This for reasons of her health;
- d. Continuation of present concessions of import free of customs duties of articles for his own private use.

4. He could arrive in Peshawar by August 15th. Passages provisionally booked for all three to leave Poole by flying boat service 13 Q 185 on August 10th arriving Karachi August 13th. It is suggested that they should then proceed direct from Karachi to Peshawar by special plane. But Cunningham would of course be willing to visit Delhi *en route* if His Excellency thinks this desirable.

5. For time being at all events he would like to take over Lockhart's staff.

6. Secretary of State will be telegraphing shortly to Viceroy about completion of formalities for appointment and about announcement thereof in relation to Governorships already settled including Cunningham's if conditions above are acceptable to Jinnah.

7. The following is for His Excellency's private information only. Cunningham at first refused on personal grounds Jinnah's offer though

in characteristically charming fashion. Subsequently he indicated that perhaps he had given undue weight to personal considerations and would like to talk the matter over with Ismay with result set out above.

¹See Appendix IX, 7, para 5, Vol. II, 927.

121

Mohammad Ameen Khan Tareen to M. A. Jinnah

F. 1108/112

177 COLLEGE STREET,
TORONTO, CANADA,
12 July 1947

Respected Quaid-i-Azam,

Realizing the importance of your appeal¹ and the urgency for the funds you had demand[ed], the AMSA made an appeal to its members to contribute as much as they can. Due to the very short time at our disposal we could not make any central arrangements and the members were asked to send their contributions direct to you. But some contributions were received in the Central Office. More are expected.

I have already sent you through the Bank Rs. 329 on July 3rd, 1947, and more will be sent as soon as further donations are received. We are not in a position to render much financial help but we assure you that, besides our constant efforts that we have been making in this country to make Muslim India understood better, we would not spare any efforts that we can possibly contribute towards making Pakistan great.

I am herewith enclosing the recent issue of our Bulletin No. 9 and I would specially draw your attention to the items "A Time for Action", and "Let us Make a Definite Plan".

With all the earnest wishes for your long life and success of Pakistan.

Yours sincerely,
MOHAMMAD AMEEN KHAN TAREEN
General Secretary,
Association of Muslim Students in America

¹No. 128, Vol. II, 297-9.

Enclosure to No. 121

F. 1108/96-8

MUSLIM NEWS BULLETIN NO. 9 (JULY 1947)
CIRCULATED BY ASSOCIATION OF MUSLIM STUDENTS IN AMERICA
(SPECIAL PAKISTAN ISSUE)

177 COLLEGE STREET,
TORONTO, CANADA

Editor: Mohammad Ameen K. Tareen

Editorial Board: 1. Miss Cenani Pamir (Turkey) 4. Mohammad Fahmy (Egypt)
2. Mr. Abdullah Faryar (Iran) 5. M. C. Das
3. Mr. Shamim A. Mian (Pakistan) 6. Azid Bakhsh

WHAT WE STAND FOR?

*[Omitted]*¹

SPECIAL PAKISTAN ISSUE

On the auspicious occasion of the achievement of Pakistan by the Muslims of India the AMSA feels honoured to bring out this special issue. Our congratulations to Indian Muslims on their success.

LONG LIVE PAKISTAN

Although it cannot be said that the Muslims of India have won what they wanted, yet it is safe to state that under the forceful and dependable guidance and leadership of Mr. Mohammad Ali Jinnah they have achieved a substantial portion of their demand, which can serve as a strong basis for further action. For the last seventeen years the Muslims, after realising the ambiguity of a "United India" conception, had put forth a demand that they should get separate homelands. Generally the Pakistan proposal is considered to have originated in March 1940, when the All India Muslim League passed its well-known Lahore Resolution, but very few realise that the idea was first voiced by that poet, sage, philosopher, Allama Dr. Mohammad Iqbal, during his Presidential Address in 1930 at the All India Muslim League session. He said, "I would like to see the Punjab, the North-West Frontier Province, Sind and Baluchistan amalgamated into a single State. Self-government within the British Empire, or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims, at least of North-West India.... I therefore demand the formation of a consolidated Muslim State in the best interests of India and Islam. For India, it means security and peace resulting from an internal balance of power...."

The greatest Muslim of his time spoke, but evidently the Muslim nation at that moment was not equipped for a swift and immediate action. The ideal put forth by Dr. Iqbal remained for some time unattended until March 1940 when the Muslim League, compelled by the force of circumstances, finally demanded the establishment of Muslim state.

The Resolution said that "...it is the considered view of this Session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, viz., that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority, as in the North-Western and Eastern zones of India, should be grouped to constitute Independent States in which the constituent units shall be autonomous and sovereign".

Since that time the Muslims of India, led by the undaunted courage and statesmanship of Mr. Jinnah, have been fighting for the achievement of their goal. During this struggle the Muslims had to face very heavy odds and it is only through the spirit infused by Mr. Jinnah's leadership that the Indian Muslims can turn to the world and say: "We have now achieved Pakistan. Long Live Pakistan".

THE DUTY OF INDIAN MUSLIMS

The following is an excerpt from an address, delivered by the late Dr. Mohammad Iqbal, seventeen years ago [1930]. The impact of the warning he administered and the ideal he preached is as true today as it was when it was first presented by him. At a time when we are going to face all the handicaps and difficulties that are concomitants of the planning of a new country, this would be a message of courage and determination for those on whose shoulders would rest the responsibility. Dr. Iqbal's message gives us a realisation of duty and responsibility that the Muslim young men of India owe not only to their own country of Pakistan but to the whole Muslim world.

"The political bondage of India...has suppressed the spirit of the East, and wholly deprived her of that joy of self-expression which once made her the creator of a great and glorious culture. We have a duty towards India where we are destined to live and die. We have a duty towards Asia, especially Muslim Asia. And since seventy millions of Muslims in a single country constitute a far more valuable asset to Islam than all the countries of Muslim Asia put together, we must look at the Indian problem... from the standpoint of the Indian Muslim as such. Our duty... cannot be loyally performed without an

organised will fixed on a definite purpose.... Our disorganised condition has already confused political issues vital to the life of the community.... Rise above sectional interests and private ambitions, and learn to determine the value of your individual and collective action, however directed on material ends, in the light of the ideals which you are supposed to represent. Pass from matter to spirit. Matter is diversity; spirit is light, life and unity. One lesson I have learnt from the history of Muslims. At critical moments in their history, it is Islam that has saved Muslims and not *vice versa*. If today you focus your vision on Islam and seek inspiration from the ever-vitalising idea embodied in it, you will be only reassembling your scattered forces, regaining your lost integrity, and thereby saving yourself from total destruction.... In the words of the *Qur'an*, 'Hold fast to yourself; no one who erreth can hurt you, provided you are well guided'."

U.N. PALESTINE COMMITTEE A FAILURE?

Although it is hard to pass any final verdict on the anticipated achievements of the United Nations Special Committee on Palestine, it would not be very remote from truth to say that the Committee has very meagre chances of success. Appointed about a couple of months back after a "special session" deliberations by the U.N. General Assembly this body has been entrusted [with] the task of making investigations into the Palestine situation and submitting a report giving its suggestions for the solution of the chronic constitutional problem of the Holy Land.

But it appears from the preliminary deliberations of the Committee that it made a bad start. Above everything else, the Arab boycott is the greatest obstacle which makes it impossible to get a first-hand picture of what Palestinian Arabs want. Any report which is framed by a committee lacking the cooperation of the Arabs is not worth the paper on which it is written. The Arabs, however, cannot be blamed in face of the attitude that the Committee adopted from the very start. The Arab countries would perhaps have committed a suicide if they had agreed to the terms of reference of the Inquiry Commission.

Under such circumstances it is futile to hope [for] anything substantial or dependable out of the eleven-man committee's work. It would be sheer waste of time. As one Jerusalem diplomat professed, he will be the most surprised person in the Near East if the Commission is able to agree on a report to the General Assembly by September 1. The separate blocs within the Committee which have been formed lend support to this observation.

It seems unlikely that, from such an atmosphere, any bright new

idea will come out of the inquiry. As the *New York Times* Jerusalem [Correspondent] writes, "everything seems to have been tried and rejected by one side or the other or by all sides simultaneously. At best the Committee may be able to arrive at a low common denominator of agreement, but there is no sense of solidarity, of identity of national interests, to impel the United Nations panel members to agreement. At the worst the Committee may not be able to produce a report at all".

In both the cases the Committee's efforts are doomed to failure. If the Committee produces a report it would only be one-sided because the Arabs are not being heard and the U.N. Committee would not be able to get their official viewpoint, in the absence of any representative authority.

EGYPT'S CASE BEFORE THE U.N.?

The latest reports reaching from Cairo confirm the earlier news of the decision by the Egyptian Government to bring their fight against the British before the U.N. for final decision. It is said that a representative of Premier Nokrashy Pasha has reached Lake Success² and is already conferring with the U.N. officials about the intention[s] of the Egyptian Government.

If the plan materialises the U.N. Organisation would shortly be face to face with a second test case. As has already been stated there doesn't appear to be anything but failure in the efforts [of] the Special Inquiry Committee on Palestine. And if the U.N. fares in the Egyptian case with the same achievement—and no doubt this is going to be as delicate and intriguing a case as that of Palestine—it is good that the U.N. should pack itself [*sic*] at this stage and should honourably, and with due thanks, return to Rockefeller the quarters to be donated for the U.N. buildings.

A TIME FOR ACTION

A PERSONAL APPEAL TO MUSLIM STUDENTS FROM INDIA

At this very happy occasion I wish to address this personal appeal to the Indian members of the AMSA. On hearing the news of the success of Indian Muslims in achieving their cherished goal of Pakistan I am not less pleased than anybody else.

I had the honour of devoting a part of my life to the struggle for Pakistan, both as a worker of the students' organisations and as an individual claiming a faithful allegiance to the great Muslim nation of India. Thus now when I hear of the news of our final success I really must feel proud of my contributions—however little and meagre they might have been—towards this great fight as a school kid, as a college and university student, and as a young man thrown into the boiling cauldron of world events.

This is when I reflect on the past. But a moment's thought on the future brings me back from the pride of achievements to the anticipated burden of responsibility. It cannot be overlooked that the fight which we had upto now been putting up for the achievement of Pakistan is not finished yet. It is my personal belief that we are just in a position where we had been clamouring for "responsibility". We have got it. But it necessarily brings along with it all the worries and difficulties. It is thus a real start of our troubles.

I am sure everybody agrees with me in this viewpoint. As young soldiers of the nation we have been fighting the political battle all along. And we discharged this duty remarkably. I have no hesitation in saying, judging from the views that I have heard, that the nation is really proud of all of us. Only the other day I received a letter from one of the top-ranking Indian leaders³ who, after commenting and praising the AMSA work said, "The Muslim case everywhere has unfortunately so long gone by default. It is therefore exhilarating to see action on all fronts". And similar views have been expressed by many others.

But instead of being lost in the thrill we must take stock of the situation now. We have got Pakistan. This is undoubtedly a great achievement, the credit for which goes to every man and woman of Muslim India. But we are now faced with the problem of developing our homeland. This is, I assure you, a far bigger fight than we had been in upto now. Because, if we falter now, we would, besides inviting the scorn and contempt of the outside world in our life-time, put millions of our posterity in shame and misery and poverty. And there is morally no greater crime in this world than to inherit [*sic*] to coming generations the rewards of your ill-doings.

We—yes you and me and all of us—at this time can be useful towards [*sic*] the solution of this problem. More than anybody else the task for [*sic*] tackling such problems rests on your shoulders—you whom your nation has helped to provide education and skill. There is no better way of paying the debt we owe to our nation and country than contributing our full share in the efforts made towards putting the country on a road to prosperity. With your background of skill and education it should be a thing that can be achieved.

We have been in this country long enough to learn the secret of America's success. This was sheer hard work. We have to do the same. Nobody would open for us the door to a ready-made Eden and present it on a silver platter. Nobody would say, "Here is your constitution. Here the cultivated acres of your domain, your roads and harbours, your inventions and your commerce. Go ahead and enjoy them". No. What

we want to achieve would take endless work, travail, ambition, and persistence to secure[?] and will require the same exertions to perpetuate. We must thus prepare ourselves for the endless efforts and the sacrifices that we are required to make in order to put our nation on a high pedestal and make it great. We should spare no efforts in gathering the knowledge that would be required of us and in collecting the material and guidance in this country that we consider useful to our future task. Let's all wish all of us Godspeed and a crowning success.

Yours brotherly,
MOHAMMAD AMEEN TAREEN

¹See Enclosure to No. 113, para 1, Vol. II, 198-9.

²A village in New York on Long Island; headquarters of the United Nations Security Council, 1946-50.

³Refers to M.A. Hassan Ispahani.

Annexure to Enclosure to No. 121

F. 1108/98-101

LET US MAKE DEFINITE PLAN

With the above in view, it has been suggested in some quarters that the students in this country should start grappling with the problems that they are going to face in Pakistan. It is a fine idea that we should realise now the problems that await us in our country. We are at present fortunately positioned in a country which is the richest and the most highly developed country in the world. We can and we should learn a few lessons from the economic structure here. The knowledge that we are getting here and the ideas that we imbibe would be useful for the reconstruction of our own country.

The best course for us to become helpful to the future of Pakistan would be to make some definite plans and work them out to the best advantage of the country. At present we have in this country AMSA members studying various branches of science and other subjects which would be useful in our development. It is suggested that each one of us make a short plan in his own subject. This should cover all the relevant matters which the person thinks important for the purpose. A few points can be stated as a rough indication of the terms of reference of the plan:

1. What are the problems that Pakistan is faced with in this particular subject?
2. What are the apparent reasons for it?
3. How can these problems be dealt with?

4. What peculiar measures have been taken in America to do away with these problems?
5. How this solution—with certain modifications if necessary—can be applied in Pakistan to eliminate these very problems?
6. What are the novel and peculiar features of American development which can be utilised in Pakistan?
7. Any suggestions aiming at the general development of this branch of our national economy.

[Six paras omitted]

RESPOND GENEROUSLY TO MR. JINNAH'S APPEAL

Mr. Jinnah has made an appeal for adequate funds to meet the expenses of the Pakistan Constituent Assembly and to fight the referendum in North-West Frontier Province and Assam. This appeal requires the most generous response, for the money is greatly needed to pay for the planning expenditure extra [sic]. Please send your contribution, as much as you can. We are shortly arranging to send the incoming money to Mr. Jinnah. The following contributions have been made uptill now:

		\$
Zafar Ali Hashmi	East Lansing	5.00
Mohammad Sharif Riaz	East Lansing	20.00
M. Kheshgi	East Lansing	5.00
M. Mansoor	East Lansing	5.00
M. Jamil	East Lansing	20.00
G. Sarwar Khan	East Lansing	10.00
Farooqi	East Lansing	5.00
T. A. Hussain	East Lansing	5.00
Hamid Khan	East Lansing	5.00
M. A. Shamsi	New York	10.00
K. Mubashir Hasan	New York	10.00
Abdul Qayum	New York	10.00
Abdul Hamid Khan	Toronto	10.00
A. F. M. Huda	Toronto	10.00
K. S. I. Ahmad	Toronto	10.00
Mohammad Ameen	Toronto	10.00
		<u>150.00</u>

Some more money has also been collected in New York the details of which are not available as yet. Except the New York collection, which is being sent directly, the total amount of collection has been sent to Mr. Jinnah.

TO THE INDIAN MUSLIMS IN NEW YORK,
CALIFORNIA, AND DETROIT

We take this opportunity to make a special appeal to the Muslims who came from India years ago and have remained in various parts of the country. They do not perhaps fully realise the gravity of the situation back in the homeland. The Hindus have been misleading them all along. It was only through the coming in of Muslim students during last one year that they learnt for the first time about the difficulties of Muslims of India and the ill-treatment by the Hindus. We are glad to learn that they have begun to understand the position better.

At this hour when their Muslim brethren in Pakistan are in great trouble we request these Muslims in California, Detroit and New York, to respond to the appeal for funds that has been made by Mr. Mohammad Ali Jinnah. They had been, for such a long time, generously giving money for a cause where it was used against the Muslim interests. Let them once support the genuine cause of Islam. Muslims of India need your help urgently. Send your donations in the name of M. Ameen Tareen to this office. Act before it is too late.

REMOVAL OF UNTOUCHABILITY—A MYTH

(In the last issue¹ of our Bulletin we had published an article by Mr. M. C. Das under the above heading. A Hindu gentleman from Ann Arbor, who "wishes to remain anonymous", was very much annoyed with this and hastened to write to us that this showed a bad taste. His contention is that Mr. Gandhi has done a great deal for the Untouchables so as to be termed their Saviour. Here we are publishing a reply from Mr. Das to this criticism—Ed.)

However sincere the writer (the Ann Arbor Hindu) may be in his beliefs, he clearly betrays the ignorance of facts. He is in no way different from a man in the street who joins the "crowd" to say that Mr. Gandhi is responsible for the present status of the Untouchables.

It is a pity that he was not able to see from the article that the removal of untouchability can be effectively executed only by rooting out the caste system which is the basic cause. It is a well-known fact that it is the caste system that is responsible for disunity in the Hindu society and which gave an opportunity to the foreigner to conquer India. It is not due to lack of realisation on the part of Mr. Gandhi and other top rank leaders that the caste system is advocated for [*sic*] (*Gandhi Sikshan*, Vol. II) but to keep harmony in the society by keeping the underdog as such, and getting the menial services from them. This, of course, is a good proposition for the privileged classes, but "it is not

in the interests of the Untouchables to be slaves". Furthermore, the recent elections, as well as those of 1937 clearly proved the unrepresentative character of the Congress, where a man who commands popularity among the Untouchables and got the maximum votes in the primary elections suffered the worst defeat at the hands of the Caste Hindus in the final elections. But Mr. Gandhi was opposed even to this kind of representation on the basis that they are Untouchables and threatened a fast unto death in 1932. It was recorded during the recent elections that the Untouchables were threatened with refusal of food materials, etc., from the shops which are solely owned by the Caste Hindus. There are countless incidents of this nature. These annoying instances lead one to believe that the main intention of calling the Untouchables as Hindus, although they live a different life away from the Hindu quarters, is to keep them as faithful servants to the society. If the Congress Government is really sincere about the removal of untouchability, it should begin with the elimination of caste system.

To get a more clear idea of the picture, the reading of the book entitled *What Gandhi and Congress have done to Untouchables* is suggested.

ISPAHANI COMMENDS THE AMSA WORK

In a letter to the Secretary of the AMSA, Mr. M. A. Hassan Ispahani, Member of the All India Muslim League Working Committee, says, "I congratulate the Association of Muslim Students in America for the good work it is doing for the Islamic countries and for one hundred million Muslims of India. The Muslim case everywhere has unfortunately so long gone by default. It is therefore exhilarating to see action on all sides".

Mr. Ispahani was in this country during October-November of the last year as a representative of Mr. Jinnah to the *New York Herald Tribune* Forum² and did a good deal of work in explaining before the American people the Muslim standpoint.

MR. JINNAH ON BRITISH PROPOSALS

This is an excerpt from Mr. Jinnah's broadcast speech that he made to his nation on the eve of the acceptance of British proposals:

[Omitted]³

¹Enclosure to No. 113, Vol. II, 202-6.

²See No. 320, note 3, Vol. I, Part I, 554.

³See No. 4, paras 1-4, Vol. II, 19-20.

122

*H. M. Patel to M. A. Jinnah**F. 1/220*

SECRET

No. P.O.-20/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
12 July 1947

The undersigned is directed to circulate to Members of the Partition Council a copy each of the Report of the I. & S. Department Sub-Committee¹ of Expert Committee No. I on item [1] (a) (i) of the terms of reference of the Expert Committee, and of the Expert Committee's comments on this report, which are to be considered at the next meeting of the Partition Council to be held at a time and date which will be notified later.

The recommendations of the Steering Committee on this subject will follow.

H. M. PATEL

¹See Enclosure to No. 121, item 9, Vol. II, 273.

*Enclosure to No. 122**F. 127/12-3*

No. 1/E.C. (I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I, NEW DELHI-3,
10 July 1947

MEMORANDUM

Subject: Report of the Industries and Supplies Department Sub-Committee on item 1 (a) (i) of the terms of reference of Expert Committee No. I

A copy of the Report of the Industries and Supplies Department Sub-Committee of Expert Committee No. I on Item 1 (a) (i) of the terms of reference dated the 1st July 1947 is forwarded herewith. The Report has been examined by Expert Committee No. I who recommend the proposals made in the Report for acceptance, subject to the following comments:

- a. The set-up proposed for the Pakistan Secretariat and its Attached Offices appears to be on the high side. The future Pakistan Government would no doubt decide its actual staff requirements in this

respect. The Government of India might also find it desirable to consider whether any reduction in the strength of the existing Attached Offices of the Industries and Supplies Department could be carried out after the Partition.

- b. The branch offices for Supplies, Inspection, and Iron and Steel Control proposed to be located at Karachi should be located in East Bengal and local purchase and inspection work in Karachi should be done by the Head Office of the Director-General of Industries and Supplies.
 - c. The Pakistan Government may require a Controller of Patents as this work cannot perhaps be adequately performed by the Directorate-General of Industries and Supplies.
 - d. The Central Sericultural Research Station, Berhampore, is located in East Bengal. Facilities for research existing at the station should be made available to the nationals of the rest of India, to the same extent as similar facilities are granted to the nationals of Pakistan in institutes which might be located in India.
2. A separate communication will be addressed regarding the organisation for the disposal of surplus stores.
 3. The orders of the Partition Council are requested on the following points:
 - a. Proposed organisation for the Attached Offices of the Pakistan Government (Annexure II),¹
 - b. Mutual arrangements between the two Governments for the purchase of stores (Sub-para 2 of para 2 of the Sub-Committee's Report), and
 - c. Proposal in para 1 (d) above regarding the Central Sericultural Research Station, Berhampore.

P. V. R. RAO
M. AYUB

The Steering Committee
(H. M. Patel /Mohamad Ali)

¹Annexure I to Enclosure.

*Annexure I to Enclosure to No. 122**F. 127/15-6*NEW DELHI,
1 July 1947INDUSTRIES AND SUPPLIES DEPARTMENT SUB-COMMITTEE
OF EXPERT COMMITTEE NO. IReport on item (a) (i) of the Terms of Reference
[*Not printed*]¹

¹The Report of the Industries and Supplies (I. & S.) Department Sub-Committee of Expert Committee No. I proposed the organisation of the I. & S. Department under the new Government of Pakistan and suggested the strength of officers and staff as in the following Annexures. See F. 127/15-6, QAP.

*Annexure II to Enclosure to No. 122**F. 127/17*INDUSTRIES AND SUPPLIES DEPARTMENT
(PAKISTAN)
SECRETARIAT

		Nos.
<i>Officers:</i>	Secretary	1
	Deputy Secretaries	2
	Under/ Assistant Secretaries	4
	Branches (including Receipt & Issue)	10
<i>Ministerial Staff:</i>	Superintendents	9
	Asstt.-in-Charge	1
	Assistants	60
	Clerks and Typists	84 (of whom 21 will be Typists)
	Stenographers	8
	Record Sorters/ <i>Daftries</i>	12
	Class I <i>Jamadar</i>	2 (including 1 for H.M.)
	<i>Daffadars</i>	2
	Peons	30
	<i>Farashes</i>	4

Note. The set-up is based on the usual Secretariat organisation.

*Annexure III to Enclosure to No. 122**F. 1/226-8*

DEPARTMENT OF INDUSTRIES AND SUPPLIES
(PAKISTAN)
HEADQUARTERS

	Nos.
<i>Officers:</i> Director-General	1
SUPPLIES WING	
Deputy Director-General (Supplies & Inspection)	1
Directors (1 for Engineering, 1 for Miscellaneous, and 1 for Communications)	3
Deputy Directors (2 for each Directorate)	6
Assistant Directors (4 for each Directorate)	12
<i>Ministerial Staff:</i>	
Superintendents	12
Assistants	60
Clerks and Typists	82 (of whom 22 will be Typists)
Stenographers	10
Record Sorters / <i>Daftries</i>	13
Peons	48
Watchmen / <i>Farashes</i> , etc.	4
INSPECTION	
<i>Officers:</i>	
Director	1
Deputy Directors	2
Assistant Directors	4
<i>Ministerial Staff:</i>	
Superintendent[s]	4
Assistants	20
Clerks and Typists	29 (of whom 7 will be Typists)
Stenographers	4
Record Sorters / <i>Daftries</i>	5
Peons	15
<i>Farashes</i>	2
DEVELOPMENT WING	
<i>Officers:</i>	
Deputy Director-General (Development)	1
Directors (1 for each—Controls, Engineering, Leather, Chemicals,	

and Textiles)	5
Deputy Directors (2 for Controls, 3 for Engineering, 2 for Leather, 2 for Chemicals, and 3 for Textiles)	12
Assistant Directors (4 for Controls, 6 for Engineering, 4 for Leather, 4 for Chemicals, and 6 for Textiles)	24
<i>Ministerial Staff:</i>	
Superintendents	24
Assistants	120
Clerks and Typists	148 (of whom 37 will be Typists)
Stenographers	19
Record Sorters / <i>Daftries</i>	26
Peons	82
<i>Farashes</i> etc.	6

ADMINISTRATION

<i>Officers:</i>	
Director (Administration, Coordination and Publicity, and Statistics & Shipping)	1
Deputy Directors	3
Assistant Directors	6
<i>Ministerial Staff:</i>	
Superintendents	6
Assistants	30
Clerks	41 (of whom 10 will be Typists)
Stenographers	6
Record Sorters / <i>Daftries</i>	8
Peons	24
<i>Farashes</i> etc.	3

REGIONAL OFFICES

*INSPECTION WING—LAHORE

<i>Officers:</i>	
Controller	1
Asstt. Director (Admn.)	1
Inspecting Officers	4
Asstt. Inspecting Officers	11
<i>Ministerial Staff:</i>	
Examiners	37
Asstt. Examiners	9
Head Clerks	2
Senior Clerks—Upper Grade	5
Senior Clerks—Lower Grade	16 (of whom 6 will be Typists)
Routine Clerks	16

Stenographers	2
Stenotypist	1
<i>Daftries</i>	3
Peons	17
<i>Chowkidar / Farash</i>	2

*INSPECTION WING—KARACHI

Officers:

Controller	1
Asstt. Inspecting Officers	3

Ministerial Staff:

Examiners of Stores	10
Head Clerk	1
Senior Clerk—Upper Grade	1
Senior Clerks—Lower Grade	5 (of whom 3 will be Typists)
Routine Clerks	10
Stenographer	1
<i>Daftry</i>	1
Peons	8
<i>Chowkidar</i>	1
<i>Mali</i>	1

*SUPPLIES WING—LAHORE

Officers:

Deputy Director	1
Assistant Directors	2

Ministerial Staff:

Superintendents	2
Assistants	8
Stenographers	2
Clerks	14 (of whom 4 will be Typists)
<i>Daftries</i>	3
Peons	8
<i>Farash etc.</i>	1

SUPPLIES WING—KARACHI

Officers:

Deputy Director	1
Assistant Director	1

Ministerial Staff:

Superintendent	1
Head Clerk	1
A Grade Clerks	7
B Grade Clerks	6 (of whom 4 will be Typists)
C Grade Clerks	8
Stenographer	1
<i>Daftry</i>	1

Peons	8
Chowkidar	1

*IRON & STEEL ORGANISATION—KARACHI

Officers:

Steel Inspector	1
-----------------	---

Ministerial Staff:

Superintendent	1
Senior (B Grade) Clerks	2
C Grade Clerks	2
Peons	3

*COAL ORGANISATION—BALUCHISTAN

Officers:

Asstt. Regional Coal Controller	1
---------------------------------	---

Ministerial Staff:

Tech. Assistant	1
S.A.S. Accountant	1
Senior Assistant	1
Junior Assistants	3
Chainman	1
Peons	3

Note[1]. Ministerial staff computed on the basis of total number of officers multiplied by 7 plus a suitable addition (roughly 10%) for Receipts & Issue and Typing Pool.

2. *Represents existing set-up.

Annexure IV to Enclosure to No. 122

F. 1/229¹

STAFF REQUIRED FOR HANDLING DISPOSALS OF
SURPLUS STORES²

LAHORE

Gazetted		Non-gazetted	
Regional Commissioner	1	Superintendents	2
		Assistants-in-charge	2
Deputy Directors	3	A Grade Clerks	13
		B Grade Clerks	29 [10 Typists]
Assistant Directors	4	C Grade Clerks	14
		Stenographers	5
Field Inspectors	2	Jamadar	1
		Daftries	2
Sample Room Officer	1	Peons	20
		Motor Drivers	4

		<i>Chowkidar</i>	1
		Sweeper	1
		KARACHI	
Assistant Directors	2	Superintendent	1
		Depot Supdt.	1
Field Inspector	1	Asstt.-in-charge	1
		A Grade Clerks	10
		B Grade Clerks	16 [5 Typists]
		C Grade Clerks	5
		Stenographers	2
		<i>Daftry</i>	1
		Peons	11
		<i>Havaldar</i>	1
		Motor Driver	1
		<i>Chowkidars</i>	19
		Sweepers etc.	2

Note. The above is based on the existing set-up.

¹A duplicate copy is available in F. 127/21, QAP.

²For details of posts not required in the Supplies Wing of D.G. I. & S., see F. 127/21-3, *ibid.*
Not printed. A duplicate is also available in F. 1/230-1, *ibid.*

123

H. M. Patel to M. A. Jinnah

F. 1/218

No. P.O.-21/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
12 July 1947

The undersigned is directed to circulate to Members of the Partition Council for their approval a note by the Steering Committee recommending changes in the personnel of certain committees.

If no comments are received by 4 p.m. on Monday, the 14th July, 1947, the approval of the Partition Council will be assumed to these recommendations.

H. M. PATEL

*Enclosure to No. 123**F. 1/219*

NOTE BY THE STEERING COMMITTEE

We recommend that the following further changes be made in the constitution of Expert Committees:

EXPERT COMMITTEE NOS. I & II

DEPARTMENTAL SUB-COMMITTEE FOR THE LEGISLATIVE DEPTT.

Mr. Justice Sheriff¹ of the Lahore High Court to be member in place of Mr. Justice Rahman² who has been appointed member of the Bengal Boundary Commission.

EXPERT COMMITTEE NOS. I & II

DEPARTMENTAL SUB-COMMITTEE FOR THE I. & S. DEPTT.

Mr. S. A. Hasnie³ to be member in place of Mr. R. A. Mahamadi.⁴

¹Muhammad Sharif, Acting Judge, Lahore High Court.

²S. A. Rahman, Acting Judge, Lahore High Court.

³Joint Secretary, Commerce Department, Government of India.

⁴Deputy Secretary, Industries Department, Government of India.

124

*H. M. Patel to M. A. Jinnah**F. 127/5*

IMMEDIATE/SECRET
No. PO-22/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
12 July 1947

The Steering Committee present their compliments to... [Name of addressee] and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at the Viceroy's House at 10 a.m. on Tuesday, the 15th July, 1947.

AGENDA

1. Information Broadcasts to the Armed Forces regarding Progress of Reconstitution
2. Retention of the Indian Forces in Burma and Malaya
3. Points reported for information
4. Change of title of appointment of C.G.S. in India after the 15th August, 1947

5. Report of the I. & S. Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee
(Already circulated under memo. No. P.O.-20/PC/47, dt. 12-7-1947)¹
6. Report of the Railway Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee
(Papers on items 1 to 4 and 6 are attached. The Steering Committee's comments and/or recommendations on items 1 to 4 are indicated at the foot of each item. The Steering Committee's comments on items 5 and 6 are also attached)²
7. Arrangements for effecting physical division of stores on N[orth] W[estern] and B[engal] A[ssam] Railways (Note attached.)³

H. M. PATEL

Mr. M. A. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad

The Hon'ble Mr. Abdur Rab Nishtar

The Hon'ble Mr. C. Rajagopalachari

The Hon'ble the Defence Member

H. E. the Commander-in-Chief (Items 1 to 4 only)

Copy with four copies of the enclosures forwarded to the Private Secretary to His Excellency the Viceroy, for information.

V. H. COELHO

¹No. 122.

^{2 & 3}Not available in QAP.

Enclosure 1 to No. 124

F. 127/6

ITEM 1

INFORMATION BROADCASTS TO THE ARMED FORCES
REGARDING PROGRESS OF RECONSTITUTION

[Not printed]¹

¹The Armed Forces Reconstitution Committee recommended that fortnightly information broadcasts should be made over All India Radio to keep the Armed Forces informed of the progress of reconstitution. The Steering Committee had no comments to offer. See F. 127/6, QAP.

*Enclosure 2 to No. 124**F. 127/7-8*

ITEM II

RETENTION OF THE INDIAN FORCES IN BURMA AND MALAYA

*[Not printed]*¹

¹The Armed Forces Reconstitution Committee proposed that certain units of the Indian Army should be allowed to remain in Burma (now Myanmar) and Malaya (now Malaysia) up to 31 March 1948. The Steering Committee recommended acceptance of the proposal. See F. 127/7-8, QAP.

*Enclosure 3 to No. 124**F. 127/9-10*

ITEM III

POINTS REPORTED FOR THE INFORMATION OF
THE PARTITION COUNCIL*[Not printed]*¹

¹The Armed Forces Reconstitution Committee recommended, *inter alia*, that headquarters of the Royal Indian Air Force for India should be located at Delhi and that headquarters for Pakistan should be established at Rawalpindi by 15 August 1947 or as soon thereafter as possible. The Steering Committee offered no comment. See F. 127/9-10, QAP.

*Enclosure 4 to No. 124**F. 127/11*

ITEM IV

CHANGE OF TITLE OF THE APPOINTMENT OF C.G.S. IN INDIA
AFTER THE 15TH AUGUST 1947*[Not printed]*¹

¹The Commander-in-Chief proposed that consequent on the former becoming Supreme Commander on 15 August 1947, the Chief of General Staff in India should be redesignated as Chief of Staff (Army) to the Supreme Commander. The Steering Committee recommended acceptance of the proposal. See F. 127/11, QAP.

*Enclosure 5 to No. 124**F. 127/37-9*

No. 1/E.C.(1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
10 July 1947

MEMORANDUM
ITEM VI
REPORT OF THE RAILWAY DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. I ON ITEM 1 (a) (i) OF THE
TERMS OF REFERENCE

[Not printed]¹

¹The report deals with the operation and running of the railways stretching to about 5,200 and 2,000 miles in West and East Pakistan, respectively. The Report of the Railway Department Sub-Committee suggested that there should be a central organisation responsible for directing policy and broad details of their working. Since a Railway Board was not being set up in Pakistan, this organization should be headed by a Director-General, Railways, with the rank and status of an Additional Secretary to Government who should have direct access to the Minister for Communications. He should have under him a Financial Adviser and four Divisional Superintendents in charge of (i) Traffic, (ii) Establishment, (iii) Civil Engineering (including Project Surveys and new constructions), and (iv) Mechanical Engineering and Stores. Under the Divisional Superintendents there should be a Deputy Secretary and a number of Deputy and Assistant Directors, and a number of Sections, each headed by a Superintendent or an Assistant-in-Charge.

The Directorate-General, Railways should be an attached office of the Ministry of Communications.

An office of Controller of Railway Supplies should be set up immediately in Pakistan and a decision taken whether it would function under the D.G., Railways, or the D.G., Industries and Supplies.

The headquarters of West Pakistan Railway should continue to be in Lahore but its strength should be suitably curtailed.

As for the railway in East Pakistan, its headquarters should be located at Chittagong. The Pakistan Government should enter into a "working arrangement" with the East Indian Railways for operation of some 103 miles of railway in Pakistan territory. See F. 127/37-72, QAP.

125

*M. H. Rahman to Accountant General, Central Revenues
(Copy to M. A. Jinnah)*

F. 2/214

No. A-12 (3)

GOVERNMENT OF INDIA,
PARTITION SECRETARIAT,
NEW DELHI,
12 July 1947

Sir,

In continuation of this office letter No. A-12 (3) dated the 5th July 1947,¹ I am directed to convey the sanction of the Governor-General-in-Council to the creation of another post of Deputy Secretary for the Pakistan Constituent Assembly with effect from the date on which the post is actually filled. The pay attached to the post will be communicated later. The concurrence of the Finance Department has been obtained. The expenditure involved will be debitable to the "Pakistan Suspense".

I have the honour to be,

Sir,

Your most obedient servant,

M. H. RAHMAN

Deputy Secretary to the Govt. of India

The Accountant General,
Central Revenues,
New Delhi

Copy to:

1. Partition Council (Members)
2. Cabinet Secretariat
3. Finance Department

By order etc.,

M. H. RAHMAN

Deputy Secretary to the Govt. of India

¹Not available in QAP.

126

Mrs K. L. Rallia Ram to M. A. Jinnah

F. 487/96-7

ELYSIUM HOTEL, SIMLA,
12 July 1947

Dear Mr. Jinnah,

I have just read the happiest news of my life that you have been appointed the Governor-General of Pakistan Dominion. Accept my heartiest congratulations on this great and deserving honour bestowed on you by the British Government. Surely you have deserved this great position which is a greater triumph for the League. You have won for the Muslims a greater victory in five years' time on account of your superior statesmanship and political strategy than what the Hindu Congress did in sixty years' struggle of hardship and suffering. Therefore, you deserve a greater crown of glory than anybody else does in India. May God give you a long lease of life and protect you in every manner, so that the Pakistan Dominion is established on sure and solid grounds.

Now how shall I address the greatest personality of India in future? Today is the happiest day of my life.

May God protect you and keep you under His wings. This is my earnest prayer day and night.

Long may you live. *Pakistan and Quaid-i-Azam Zindabad.*

Sincerely yours,
MRS. K. L. RALLIA RAM

127

T. U. Siddiqi to M. A. Jinnah

F. 162/292-3

ZENAT BROTHER, ENGINEERS,
NEAR SADAR POLICE STATION, DELHI,
12 July 1947

Respected Quaid-i-Azam,

According to an announcement this letter should have been addressed to Mr. Qureshi¹ of Delhi University, Delhi, but since the same is of a different nature, hence my direct approach.

We are wondering in what respect we can offer our services to the nation, because, besides my organisation as one of the leading and only Muslim electrical and mechanical engineering firm in Northern India, I myself have 20 years' technical and commercial experience which I am eager to present to the nation in the best possible manner.

The best interest through which the writer could serve is not as one of the employees of the Govt. but as one of the electrical engineering contractors for the Pakistan Govt.

We are specialised in the electrical field from an ordinary house wiring installation to the vast hydro-electric transmission line system of high and extra-high voltage and since there would be a comprehensive programme, particularly for the development of electrical power, our services may best be used with great confidence, since recently at a number of places we have competed quite successfully [with] a lot of European concerns who have almost a monopoly in the field because of the high technical knowledge such work involves. We also run our firm on the same standard and don't undertake any job unless we have a qualified expert to tackle the particular problem.

It is hardly [necessary] to mention that we volunteer to work for the nation on a scale which will just be reasonable to maintain our Organisation (could also be named if directed) and thus prevent a great lot of the national funds to go into the pockets of the foreigners in the shape of huge profits, as they are accustomed to collect, being alone in the field.

If, however, in the meantime my personal services as a qualified electrical engineer combined with inland and foreign commercial knowledge are required, the same may be considered entirely at the disposal of our great Quaid.

It may not be out of place to mention that my whole family has pledged to the cause of *Millat* and my father-in-law is a League M.L.C. in U.P. and a Councillor of our National Organisation, the Council of All India Muslim League and we are therefore, a staunch League family of District Bijnore, U.P.

We are,

Yours obediently,

T. U. SIDDIQI

A.M.I.E.

*Elect[rical] & Mech[anical] Engineer
for & on behalf of Zenat Brother*

¹Dr I. H. Qureshi, Head of History Department.

128

*Raja of Suket to M. A. Jinnah**F. 715/1*

LAKSHMAN PALACE,
SUNDERNAGAR,
12 July 1947

My dear Mr. Jinnah,

I had intended to meet you personally to discuss with you the position of the Suket State in the Union of Pakistan but I regret ill health prevents me from undertaking a journey to Delhi in this weather at present. I am accordingly sending my representative, Rai Sahib B. R. Beotra, Advocate, Amritsar, to call on you and discuss the matter with you on my behalf. This would help me very much to make up my mind without further delay. I trust you would find it convenient to spare time to grant an interview to Mr. Beotra and render him the necessary assistance in appreciating the position of the State in the new Dominion Government.

With kindest regards and best wishes,

Yours sincerely,
LAKSHMAN SEN

129

*A. Rehman to M. A. Jinnah**F. 162/291*

WAR DEPARTMENT,
HISTORICAL SECTION (INDIA),
SIMLA,
12 July 1947

Dear Quaid-i-Azam,

Please accept my sincere congratulations and hearty good wishes on the achievement of Pakistan.

I might very briefly remind you of my interview at Delhi. Now that diplomatic relations will have to be established with Middle Eastern and

European countries, my personal acquaintance with King Abdul Aziz of Saudi Arabia and experience of diplomatic service in France should be of value to Pakistan Government.

I can come down to Delhi to talk matters over, on hearing from you.

Sincerely yours,
A. REHMAN

130

Nawab of Bhopal to M. A. Jinnah

F. 603/6

QASR-I-SULTANI,
BHOPAL,
12 July 1947

My dear Quaid-i-Azam,

I have recently bought two houses at Karachi—one for certain offices which will have to be opened there when I have received your final instructions, and the other I want to retain and equip for my personal use. I may have to be in Karachi quite often and I must have a place in Pakistan where my womenfolk may take shelter should things begin to get really hot here. I am, therefore, not replying at once to Mr. Faruqui's letter¹ (copy enclosed) and will only do so after I have received your orders.

Needless to add that if you instruct that I should place both the houses or one of them at the disposal of Pakistan, I shall do so with pleasure.

I shall await your urgent instructions as I do not want the letter of Mr. Faruqui to remain unacknowledged for a day longer than it is necessary.

The bearer of this letter can bring back your reply if it is convenient to you to write me a line about it.

With respects,

Yours very sincerely,
HAMIDULLAH

¹See No. 46.

131

*Habib Bank Ltd., Delhi, to M. A. Jinnah**F. 683/384*

CHANDNI CHOWK,
DELHI,
12 July 1947

Dear Sir,

Re: Pakistan Fund

We have received a pair of *ponchees* reported to be of silver and unweighed, from Mr. Aminul Haq, D-37, Govt. Quarters, Carol Bagh, Delhi.

We shall be grateful to receive your instructions about their disposal.

Yours faithfully,
M. A. SIDDIQUI
Agent

132

*Nasir Hussain Khan to M. A. Jinnah**Telegram, F. 778/4*

NAIROBI,
12 July 1947

Quaid-i-Azam Mohammad Ali Jinnah, New Delhi

Anjuman Himayat Islam East Africa offer heartiest congratulations on your fitting appointment as Governor-General Pakistan. May Almighty Allah bestow upon you His choicest blessings and emerge [sic] Muslims victoriously from all storms. *Pakistan Zindabad.*

NASIR HUSSAIN KHAN

133

Louis Mountbatten to M. A. Jinnah

F. 2/217

No. 1468/3

THE VICEROY'S HOUSE,
NEW DELHI,
12 July 1947

Dear Mr. Jinnah,

Abell¹ has recently been to Calcutta and had some discussion there with the Governor, with Mr. Fazl-ur-Rahman,² and with the members of the Steering Committee about the progress of partition work.

He got the impression that though the Steering Committee and the Separation Council were functioning in an amicable way, the preparations for the setting up of a new Capital and a new Administration in East Bengal were at a very rudimentary stage, and that there would be the greatest difficulty in getting Dacca started as a satisfactory Capital by the 15th August [1947].

Abell brought with him certain requests for priority, and has handed these to Mohamad Ali³ to deal with in the Steering Committee here.

I do not wish to interfere but from what Abell tells me, it seems to me that the Muslim League should certainly give higher priority to the East Bengal Administration than it is getting at present.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹See No. 64, note 1.

²Minister for Land, Land Revenue and Jails, Bengal, 1946-47.

³See No. 1, note 9.

134

Louis Mountbatten to M. A. Jinnah

F. 2/215

No. 38/17

THE VICEROY'S HOUSE,
NEW DELHI,
12 July 1947

Dear Mr. Jinnah,

With reference to my letter of 11th July,¹ I am forwarding herewith

a copy of the statement in the form in which it will be issued to the British officers and men serving in India. It is not being issued to the press, but is being sent out by air to all Commands in India for distribution as necessary.

You will see that I have included in the second paragraph the small addition which you suggested.

Yours sincerely,
MOUNTBATTEN OF BURMA

No. 114.

Enclosure to No. 134

F. 2/216

TO BRITISH OFFICERS AND MEN SERVING WITH THE ARMED
FORCES OF INDIA

The Indian Armed Forces have now to be reconstituted in accordance with the policy agreed by the Indian leaders. All concerned are convinced that British officers are needed for the period during which the Armed Forces are being divided and reconstituted.

The Commander-in-Chief and Senior Officers of all three Services at Defence Headquarters are staying on for this period. The Commander-in-Chief, who is assuming the title Supreme Commander, will be responsible under the general direction of the Joint Defence Council of the two Dominions for reconstituting the Armed Forces. At the invitation of Pandit Nehru and Mr. Jinnah, I have willingly accepted the Chairmanship of this Joint Defence Council as an independent Chairman. The Supreme Commander will continue to be advised by the existing Naval, Army and Air Staffs. When the task is done the Supreme Commander and these other British Officers will go, but others will be required to see the Defence Forces of the two Dominions firmly established.

The strain which will be thrown on Officers of the Indian Services in carrying out this reconstitution, in addition to ordinary administration and training, will be considerable and if a large number of highly trained and experienced British Officers are suddenly removed the risk of a serious break-down will be very real.

Pandit Nehru and Mr. Jinnah have expressed the desire and hope that the requisite number of British Officers and Other Ranks, including technical specialists, will stay on. I share their feeling and hope that sufficient British personnel will volunteer, although I want it to be

clearly understood that no one will be compelled to serve on if he does not wish to do so.

The terms and conditions of service under which British Officers and Other Ranks will be asked to volunteer have been approved by the representatives of both the new Dominions and by me, and His Majesty's Government in the United Kingdom have concurred. These terms will be published immediately.

I shall be proud to be associated with those who will stay on and help in this great task.

MOUNTBATTEN OF BURMA

135

Fahimuddin Noori to M. A. Jinnah

F. 1013/30

P.O.BOX NO. 68,
DELHI,
12 July 1947

Revered Sir,

I presume the facts (1) that the *Anjam* is the premier Urdu daily of Delhi, enjoying a certified cash sale circulation exceeding that of any other Urdu daily in any part of India, and (2) that it has been all these years taking a worthy share in the struggle for the attainment of Pakistan are not unknown to you.

Now that the battle has been won and the goal reached, we have decided to bring out a simultaneous issue of the *Anjam* from Karachi, with the two-fold object of (1) playing our humble part in the building up of the State of Pakistan, (2) presenting the true picture of the state of affairs in the areas of Western Pakistan to our readers in Hindustan.

We propose to start publication from Karachi very shortly. I would, therefore, request you for a message for our readers to be inserted in our first issue. For this I thank you in advance.

Yours most respectfully,
FAHIMUDDIN NOORI
Editor,
Daily Anjam, Karachi

Enclosure: a facsimile of the latest Report of the Auditors.

Enclosure to No. 135

F. 1013/31

DAILY ANJAM DELHI
FACSIMILE COPY [SIC] OF THE AUDITORS'
LATEST REPORT

14 HALL ROAD, LAHORE,
21 November 1946

This is to certify that we have examined the books of the Daily *Anjam*, Delhi, as detailed below:

Despatch Book, Agency Register, Subscription Register, Printer's bills, Cash Book and Ledger for the period commencing from 1st August, 1946, to 31st October, 1946. The total sales during these three months amount to 729,120 copies. The daily average comes to 9,114 copies, which is detailed as under:

	[No. of] Copies	
Delhi	Daily Sale	4,227 Through Hawkers
Punjab & U.P.	Daily Sale	2,500 Through Agents
Central India	Daily Sale	700 Through Agents
Gujerat & Rajputana	Daily Sale	800 Through Agents
Deccan	Daily Sale	230 Through Agents
Subscribers	Daily Sale	570 Through Agents
Free Issues	Daily Sale	60 Through Agents
Received back unsold		<u>27</u>
Total Daily Sale		9,114 Copies

S. RASOOL & CO.
Registered Accountants & Auditors

136

M. A. Jinnah to Louis Mountbatten

F. 2/219

13 July 1947

Dear Lord Mountbatten,

Many thanks for your letter¹ forwarding to me Secretary of State's telegram No. 8962, dated 12th July² regarding Cunningham's acceptance of the Governorship of N.W.F.P.

My comments on the terms and conditions suggested by Cunningham are given below:

With regard to paragraph 2 of the telegram, the period of service is one year certain as in the case of all other Governors; thereafter extension by mutual agreement, if necessary.

I agree to the terms suggested by him in paragraph 3 of the telegram referred to above with one exception, viz., that his salary should be free of income-tax. I regret I find this very difficult to accept. If this concession is given to one Governor, every Governor will ask for it and I could not in reason refuse it to them if I accept it for Cunningham. The salary of the Governor of the N.W.F.P. is Rs. 5,500 p.m., i.e. Rs. 66,000 per annum. A net salary of Rs. 66,000 per annum means a gross salary of over Rs. 5 lakh per annum. I hope you will agree that it is not reasonable to give salaries of this order.

I understand that the war-time concession of exempting a part of the salary of Governors from income-tax has been continued for the current year. I think this should be enough. In view of the housing shortage in the U.K. Cunningham should not find it difficult to let his house. In lieu of the Director's fee he would of course get the Governor's salary.

I greatly appreciate the spirit in which Cunningham has set aside personal considerations and I hope he will be able to come.

Yours sincerely,
M. A. JINNAH

¹ Not available in QAP. See Appendix V. 2, para 5.

² No. 120.

137

M. S. Aney¹ to M. A. Jinnah

F. 675/1-2

181 CONSTITUTION HOUSE,
NEW DELHI,
13 July 1947

My dear Mohammad Ali Jinnah,

Although entirely opposed to the formation of Pakistan as an independent sovereign State, I could not but feel delighted at the news of your appointment as the first Governor-General of Pakistan. It is a fitting culmination of a career of selfless service rendered by you

throughout your long public life with unique devotion, ability and astuteness to the country as a whole in the past and the Mohammadan community in recent times.

I offer my sincere and warm congratulations on your being called upon to hold this exalted office. I earnestly hope that under your vigilant supervision the interests of the minorities in Pakistan will be safe and not suffer.

Let me also further hope that under your statesmanlike guidance the relations between Pakistan and India will be friendly and mutually helpful.

Wishing you long life in good health,

I remain,
Yours sincerely,
M. S. ANEY

¹Madhav Srihari Aney, Congress leader; Member, Constituent Assembly of India.

138

Rana Udai Bhan to M. A. Jinnah

F. 694/1-2

KESARBAGH PALACE,
DHOLPUR,
13 July 1947

My dear Jinnah,

The prime factors that helpingly contribute to life and existence in this transitory world are fond hopes and their fulfillment. A life-long hope when fulfilled contributes perhaps to some of the happiest moments in one's life and I can well understand what unsullied satisfaction it must be to you that your brave and unceasing efforts have been rewarded with success. Not only that but you have created history in becoming a Governor-General in India as an Indian.

Having known you for so long and under varying circumstances from the day of the Federation struggle of 1930-31¹ and later on when on board the ship we used to have daily long talks of how best to combat that scheme which may have been a menace, the continual efforts of us both in our spheres and the final defeat of that plan was, I believe, satisfying to us.

I remember those anxious though happy associations of ours so long ago and now I send you my congratulations on your becoming the first Indian Governor-General in the country.

Please convey my many messages to your sister if she is with you and your little daughter as I knew her but now a grown-up lady if she is also with you at the house.

With my best wishes for your important career now created in this still uncertain and anxious future of our country.

Yours sincerely,
UDAI BHAN
[Ruler of Dholpur]

¹In 1928, the All-Parties Conference appointed a Committee headed by Motilal Nehru to frame a Constitution for India, which presented the Nehru Report. The report provided for the States joining an all-India Federation. It was followed by the report of the Simon Commission, and the Round Table Conferences of 1930-32 which adumbrated a Federation of British India and the Indian States. This led to the new constitution embodied in the Government of India Act, 1935. The federal part of the Act was never implemented. Majority rule at the Centre could not have satisfied the Muslim aspirations and the Muslim League was, therefore, opposed to the federal scheme. See H. V. Hodson, *The Great Divide*, Karachi, 1985, 5, 7, 29-32 and 47-8. Also see Jamil-ud-Din Ahmad, ed., *Speeches and Writings of Mr. Jinnah*, I, Lahore, 1952, 1.

139

Louis Mountbatten to M. A. Jinnah

F. 2/218

THE VICEROY'S HOUSE,
NEW DELHI,
13 July 1947

Dear Mr. Jinnah,

The following is the result of the Sylhet referendum:

Valid votes for joining East Bengal	239,619
For remaining in Assam	184,041
Majority	55,578

The percentage of valid votes to total electorate entitled to vote was 77.33.

I am arranging for this result to be issued to the Press on the morning of the 14th July.

Yours sincerely,
MOUNTBATTEN OF BURMA

140

Aga Khan to M. A. Jinnah

Telegram, F. 327/3

LAUSANNE,
13 July 1947

Quaid-i-Azam Jinnah, New Delhi.

Overjoyed your assuming *Governorschefts* [*sic* for Governor-Generalship]. Greatest Muslim State in world and greatest Muslim triumph since fall O[s]m[a]nyia Caliphat[e].¹ Thank God I have lived long enough to see today [*sic* for the day].

AGA KHAN

¹The Ottoman Empire fell in 1919 after World War I.

141

G. Moinuddin Khan to M. A. Jinnah

F. 705/1

THE PALACE,
MANAVADAR,
13 July 1947

My dear Quaid-i-Azam,

I am sending my Private Secretary, Mr. Abdul Kadir Quraishi, and Mr. Mohammed Husain, District & Sessions Judge, Manavadar State, to meet you personally in connection with political matters affecting the future of my State. As the matter is of very great importance and secret, I have deputed my two officers to see you in person and to discuss with you. I should have come personally to see you for the above said matter but as I am leading the Group of Non-Salute Constituent States of Kathiawar, all of which are Hindu States, I cannot do so lest it may shake their confidence in me and this, I hope, you very well realise. Looking to the above facts I have sent my two officers to talk with you about all the matters.

With kind regards,

Yours sincerely,
G. MOINUDDIN KHAN

142

*Firoz Khan Noon to M. A. Jinnah**F. 399/184-5*

13 July 1947

Dear Mr. Jinnah,

You will be interested to know that during the primary elections to the Punjab Legislature—at the last election—the votes polled were:

Scheduled Castes for the Congress	9,690	} for the whole of the Punjab
Scheduled Castes against the Congress	29,707	

If the Boundary Commission agrees not to count the Scheduled Castes among Hindus we should get a lot of more territory. But I doubt whether Radcliffe will agree to it.

Our maps and notes are ready and we have supplied a copy of each to Din Mohammed¹ and Munir² for they were feeling we had done no work. We have been anxiously waiting for Zafrullah³ and since he won't be here in time for tomorrow's session, Mamdot⁴ and I have deputed Khalifa Shujauddin⁵ and Dr. Tasaduq Hussain⁶ to watch the proceedings on our behalf.

Gibbon⁷ attended our morning meeting today and he has promised to secure signatures of Indian Christians for joining Pakistan.

Your appointment as Governor-General has made the public happy; only the Hindus feel a bit unhappy as the League has stolen a march on them. Gandhi's⁸ chagrin is most amusing.

Yours sincerely,
FIROZ NOON

¹See No. 40, notes 1 and 2.

²Muhammad Zafrullah Khan, Judge, Federal Court of India, 1941-47; Constitutional Adviser to Nawab of Bhopal, 1947.

³Iftikhar Husain Khan Mamdot, MLA (Punjab); President, Punjab ML; Member, AIML Working Committee.

⁴President, Lahore High Court Bar Association.

⁵A prominent lawyer of Lahore.

⁶C. E. Gibbon, MLA (Punjab).

⁷In his post-prayer speech on 12 July 1947, Gandhi bitterly criticized Jinnah for having "gone back on his word," claiming that the ML had earlier agreed to a common Governor-General for both Dominions. See *Civil & Military Gazette*, 13 July 1947.

143

Nawab of Bahawalpur to M. A. Jinnah

Telegram, F. 778/5

LONDON,
14 July 1947

Overjoyed to learn you have been pleased to accept appointment Governor-General Pakistan. Please accept from myself and my people most hearty congratulations. I am confident that with Allah's Blessings good understanding and sincerity of every purpose [sic] a very bright future can be expected. Much looking forward to meeting you soon. All good wishes and most affectionate greetings.

SADIQ MOHAMMAD OF BAHAWALPUR

144

Qazi Mohammad Isa to M. A. Jinnah

F. 614/1-4

KOTAH HOUSE, NEW DELHI,
14 July 1947

My dear Quaid-i-Azam,

You, who had planned our Pakistan, are going to build it now for us. We are grateful to the Almighty for being so kind to the Muslim nation. I shall definitely fail in finding the appropriate words, but sincerely wishing I congratulate you. For the last three days I have been wanting to wish you personally but Khurshid tells me [that] you are too busy. There can be no doubt about your being very busy. But I feel I still can claim few minutes of your very precious time.

Baluchistan gave a unanimous verdict for Pakistan. How was this brought about, you will never know. But thank God we came to that decision even before the arrival of either Sardar Nishtar¹ or my friends the Sind Ministers—thus once again we did things in our own way. I was very disappointed when I did not even get a word of *shabash* from you. In the course of its political life, Baluchistan, I can proudly say, was the only province which gave you the least worry or anxiety. Eight years ago you entrusted me with a task. I do hope I have not failed you. I was young, raw and inexperienced. I must have made

mistakes but never a dishonest mistake for which I should or can feel ashamed. Persons, older and more experienced, would have broken down but my personal regard, more for you than for even the party, remained the constant source of encouragement for me. I even passed through a period when even you became indifferent towards me. I do hope that [that] period is over now because I cannot endure it any longer. I was and am at your disposal, do whatever you like with me.

I was forced by my people to proceed to Delhi and place the case of Leased Areas and tribal areas before you. On arrival, when I was told that you were very busy, I discussed the whole case in [*sic* for at] great length both with Nawabzada Sahib² and Nishtar. I placed all the case, supported by facts and figures in the hands of Mr. Nishtar. I have learnt that H. H. Kalat has been sent for. Nishtar has told me to stay here till the result of the discussions is known.

With sincere regards,

Yours sincerely,
ISA

¹Member for Communications in the Interim Government.

²Liaquat Ali Khan.

145

M. E. Kandawalla to M. A. Jinnah

F. 513/2

SADAR, KARACHI 3,
14 July 1947

Dear Mr. Jinnah,

Myself and family and Parsi community congratulate you for the honour God has bestowed upon you.

Your assurance¹ to all communities including minorities that you will treat all your subjects as citizens of Pakistan without any discrimination of caste and creed is very much appreciated.

We will welcome you at Karachi on August 10th as declared by you.

We all hope that your declaration will turn into real action.

Yours sincerely,
MERWANJI EDULJI KANDAWALLA
Trustee, Karachi Parsi Anjuman Trust Funds

¹See Annex I to Enclosure to No. 11, Vol. II, 38-9 and Annex to No. 210, *ibid.*, 419-20. Also see Appendix VIII, 2.

146

*Firoz Khan Noon to M. A. Jinnah**F. 399/186-7*LAHORE,
14 July 1947

Dear Mr. Jinnah,

I am informed that all British troops are being moved out of Lahore by August the 1st. Are they doing the same in places in Hindustan also? I have been hearing a lot "wait till August the 15th". *Please see¹* that Pakistan troops move into Lahore in strong number[s] by August 1st.

We had a large meeting at Mamdot's house yesterday and started work in real earnest. We have sent 2 lawyers to Calcutta to watch and report proceedings to us and to send us certain books. We have selected Khalifa Shujauddin, Karamat² and Tasadduque Hussain to help Zafrullah who arrives tonight at 10 p.m.

Radcliffe decided today that 18th is the last day for submitting memoranda by associations and *not* in individuals [sic]. Zafrullah won't have much time. On the 21st the 4 Indian members will start hearing Council [sic for counsel] for 10 days and on August 3rd Radcliffe will come back and sit here till the 6th when he will return to Delhi and give his award on the 11th. He says everything is relevant. Let people have their full say so that there is no grievance in anyone's mind. People here wonder if he has already made up his mind.

Yours sincerely,
FIROZ NOON

¹Underlined here and subsequently in the original.

²Sheikh Karamat Ali, MLA, Punjab.

147

*George Abell to K. H. Khurshid**F. 488/17*

No. 1446/8

THE VICEROY'S HOUSE,
NEW DELHI,
14 July 1947

My dear Khurshid,

His Excellency has asked me to write to say for the information of Mr. Jinnah that Royal Assent will be given to the Indian Independence Bill on the 18th July 1947.

Yours sincerely,
G. E. B. ABELL

148

*Ghulam Hussain Hidayatullah to M. A. Jinnah**F. 613/8*

SEAFIELD ROAD, KARACHI,
14 July 1947

My dear Quaid-i-Azam,

I enclose a Resolution passed by the Karachi Club in which they propose to give a Club Dinner in honour of yourself and your sister on Friday, the 15th August.

The function is intended to welcome you both to our city, and to felicitate you on your splendid achievement of Pakistan, for which you have toiled so hard and so long and with such signal success.

The date chosen—15th August—is most appropriate, being the date of the inauguration of Pakistan.

It will be a great honour and pleasure to the Karachi Club if you and your sister are pleased to accept their invitation. It will be a most fitting reception to both of you from the premier social institution of this city and province, an institution consisting of well over a thousand members belonging to all communities, creeds and castes.

As President of the Club, I would press you and your sister kindly to accept this invitation, and, in the hope that both of you will do so, I

would request you kindly to communicate your acceptance to me as early as possible to enable the Club to make the necessary arrangements.

With kindest regards to both of you,

Yours sincerely,
GHULAM HUSSAIN HIDAYATULLAH
President, Karachi Club

Enclosure to No. 148

Managing Committee, Karachi Club to Ghulam Hussain Hidayatullah
F. 613/7

KARACHI CLUB, KARACHI,
12 July 1947

My dear Sir Sahib,

The Managing Committee at their meeting held last evening *have unanimously resolved that a Club Dinner be arranged in honour of Quaid-i-Azam Mohammad Ali Jinnah on Friday the 15th August.*¹

The members of the Club will feel grateful if your goodself will communicate the above resolution to Quaid-i-Azam Mohammad Ali Jinnah and request him to grace the occasion along with his sister Miss Fatima Jinnah.

Yours sincerely,
[SIGNATURE ILLEGIBLE]

Hon'ble Shaikh Ghulam Hussain Hidayatullah,
Karachi

¹Sidelined in the original. The reception was held on 9 August. See Jamil-ud-Din Ahmad, ed., *Speeches and Writings of Mr. Jinnah*, II, Reprint 1964, 397-99.

149

Ghulam Hussain Hidayatullah to M. A. Jinnah

F. 286/40-1

SIND SECRETARIAT,
KARACHI,
14 July 1947

My dear Quaid-i-Azam,

I am forwarding to you a copy of the memorandum written by the Secretary of the Food & Civil Supplies Department of this Government (Mr. R. R. Pearce) on the question involved in framing a commercial policy for Pakistan. This memorandum has been considered by the Government of Sind, and I am informing that my Government agrees generally with the memorandum and proposes to take the action suggested in it. You will notice that action is proposed by the Provincial Government, although clearly it will be a question for the Central Government to decide finally; but I feel that it is perfectly correct that consideration by the Sind Government will be profitable, more particularly since policy suitable to Sind will also be, generally speaking, suitable for the whole of Pakistan. However, before taking any further action in the matter I am bringing the whole question to your notice and request your concurrence in the action proposed. I would also be glad of any suggestions you may have to modify the proposed action and to have any information from you as to whether you yourself are taking action at present, and if so, on what lines.

2. Recent reports in the press indicate that for the present a stand-still arrangement¹ between the two Governments which will be set up in India is being negotiated, but even so some permanent trade agreement with Hindustan will presumably have to be made, as also a policy for trade relations with the rest of the world. Therefore, I feel that the proposals contained in the memorandum can confidently be adopted, subject to any modifications you may wish to suggest.

3. I am sending a copy of this D.O. letter with a copy of the memorandum to the Honourable Liaquat Ali Khan.

Yours sincerely,
GHULAM HUSSAIN HIDAYATULLAH

¹See No. 311, Vol. II, 589-94.

Enclosure to No. 149

F. 286/42-7

DEPARTMENT OF FOOD & CIVIL SUPPLIES,
[GOVERNMENT OF SIND, KARACHI],
[July 1947]

COMMERCIAL POLICY FOR PAKISTAN

Now that the creation of a separate State of Pakistan in the very near future is certain, the reconsideration of the general policy of Government on commercial matters, state trading, import and export, etc. is urgently essential. There will presumably be a strong Central Government of Pakistan, so that the Government of Sind will not have to frame a policy for itself alone; but a policy suitable for Sind will, I think, be generally suitable for the whole of Western Pakistan and also with certain probable changes for Eastern Pakistan as well.

2. This department is particularly concerned since the most important of its work largely deals with Government trading in foodgrains and Government's distribution of other essential commodities and is now strictly controlled by the Central Government in the interests of India as a whole—and as regards foodgrains particularly in the interests of Hindustan; for it happens that Pakistan comprises the only area of India which is surplus in foodgrains.

3. The present prosperity of Pakistan is based on its agriculture and on the fate of its agriculture must depend its future prosperity or poverty. At present its agricultural products are in very great demand but this demand may not be nearly so great after a year or two. On the other hand many of the essential requirements of Pakistan which have to be imported are likely to remain in short supply for considerably longer [period] particularly iron and steel, machinery, edible oils, coal, metal such as copper, tin, etc. This means that Pakistan must necessarily arrange to secure supplies in competition with the rest of the world and particularly Hindustan. I attach a press report by Mr. G. D. Birla on the economic aspect of the partition of India into Pakistan and Hindustan.¹ Apparently the object of this is to show that Pakistan is economically unworkable. This is, of course, *nonsense*,² and several experts have pointed this out—often with equally invalid reasons. But it does indicate according to 1939-1940 figures the supply problem which faces Pakistan. So far provincial surpluses of various kinds have been divided among deficit provinces, but after partition it is quite possible that Hindustan will not want to send to Pakistan commodities in

which Hindustan as a whole is not self-sufficient, particularly iron and steel and coal. Hindustan can easily consume the whole output of Indian iron and steel and Pakistan produces none. The same applies largely to textiles, edible oils and other commodities; foreign iron, steel, coal, etc. are very difficult to secure and except for cotton and a few small items Pakistan has little to offer in exchange abroad. It will, therefore, clearly be greatly to the advantage of Pakistan to secure these commodities by agreement with Hindustan, particularly for supply to Hindustan of cotton and foodgrains.

4. This is a very general outline of the situation, and it cannot be given in detail until it is known whether there will be for any time any sort of residuary authority for the whole of India to deal with economic matters previously dealt with as a whole. Such an authority would be difficult to work and there are, so far, no indications that it will be created. Therefore, Pakistan will have to negotiate and to formulate immediately the policy behind such negotiations for a trade agreement with Hindustan.

5. Pakistan's chief bargaining point will be its foodgrains surplus, which can most easily be bartered now. But in this other factors are involved: it is necessary not only to look to the near future by selling as dearly as possible, but the slightly more distant future when foodgrains will not be urgently needed as they are now in Hindustan or at least that they will be more easily available. It may well be advisable to offer foodgrains to Hindustan now at comparatively cheap rates for the sake of an assured outlet later when Pakistan will be urgently needing imports. It would be well to agree to sell foodgrains and to assure further supplies at low rates for the sake of iron, steel and coal without which large-scale development plans in Pakistan will be hamstrung. (The same applies conversely to Hindustan; in a few years cotton textiles will be urgently needing a market and Pakistan will be able to choose between the produce of Hindustan and of other countries).

6. A great deal is being said just now about the *probability of a trade war between Pakistan and Hindustan* and this is fanned dangerously by communalism within the two States. If such talk is ever reflected in policy it will be disastrous for both States. It is essential, particularly so at present, for Pakistan to *maintain the closest relations with Hindustan*, since each can so easily ruin one or another part of the other's economy and equally easily assist their prosperity. The Hindustan textile industry will be very vulnerable in 2 or 3 years, and its steel industry

probably within 5 years. Pakistan's agriculture will be found vulnerable even earlier (the recent International Wheat Conference broke down because deficit States refused to make contracts with a minimum price of [\$] 1.40 in 1947-1948 per bushel in Chicago—say Rs. 4-8-0, or Rs. 6 in Bombay; and with a minimum of [\$] 1.10 in 1950-1951, or Rs. 3-8-0 and Rs. 5 in Bombay). So Pakistan has to face [*sic* for face] the possibility of a producer's price of Rs. 4-8-0 for wheat in 1948 and Rs. 3-8-0; for deficit States felt that these prices were too high for minimum and therefore rejected it.

7. To formulate a policy it is necessary to make a survey of minimum requirements of various essential commodities in short supply, and of the assets to offset against them; what is required by Hindustan and the rest of the world. It is also essential to decide on the methods of control to be followed, whether state trading or exchange control (in fact essential whatever the method followed) on import and export licensing; further the tariff policy of India cannot be applied to Pakistan since it favours chiefly industries and harms agriculture whereas in Pakistan agriculture will be the occupation which requires protection as providing the surplus assets for export from Pakistan. So a new tariff policy must be framed which involves the decision as to whether industrial development in Pakistan is to be protected by tariffs which put up prices for consumers, particularly agricultural consumers, and also might lead to retaliation, or by subsidy. (In dealing with this it is necessary to remember the possibility that the supply priority system of the Government of India for the capital equipment for industry may well break down entirely as a result of partition, postponing industrialisation of Pakistan).

8. I, therefore, propose that Government should set up immediately committees to consider what should be Sind's policy to be put forward as a policy for Pakistan on the main issues involved. The following committees should be set up:

1. *General Commercial Policy Committee*: This should consider the general questions of commercial relations with Hindustan particularly and the world generally making a survey of commodities and materials essentially required and, being in short supply, necessarily the subject of Government negotiations. Also the assets of Pakistan in the sphere of international trade.

This committee should include all members of the other committees which should in fact be sub-committees of it reporting through it.

2. *Exchange Control Committee*: To consider the methods and extent of the control necessary in implementing the general trade policy.
3. *Tariff Policy Committee*: To consider the necessity for tariffs and whether they should, if required, be with a view to securing industrial protection or only revenue. This will involve consideration of the best method of protection of industries in agricultural countries; by general tariffs or by tariffs on non-essentials whose proceeds could be used to subsidize industries.
4. *State Trading Policy Committee*: The extent to which it is desirable, general policy to be pursued, methods of implementing the policy, and the objects of the policy, if found desirable, would be considered. In this is involved a very important question of standards of quality; maintenance could be ensured more easily through some large state trading organisation than through a trade acting independently, and consideration of the necessity and extent of long term inter-Government supply contracts which might or might not be beneficial to producers.

9. I propose that official members on the General Committee should be Secretary, F.D.,³ A and I,⁴ F & C. S.,⁵ Development Commissioner; Economic Adviser; Industrial Adviser; Development Adviser; and Agricultural Adviser. There should be non-official members on the committee but the full committee should not exceed 20 in number. The sub-committee members should be selected by the General Committee from its own members. I suggest that when Economic Adviser and Secretary, F. D., have considered this memo, I, Economic Adviser and Secretary, F. D., together should prepare a list of non-official members to propose to Government.

10. I would state again the extreme urgency of the matter due to the short time left before the inauguration of Pakistan and the necessity of having a policy framed ready to take effect as soon as Pakistan is inaugurated. The fact that the Government of Sind will not itself have the job of carrying out the policy does not affect the fact that it will be an immense advantage to Sind to have a supply policy ready to propose for adoption by Pakistan, particularly because there will be no Pakistan Government until the policy will be requiring execution. I also wish to emphasise my firm belief that now that the issue of partition has been settled every effort should be made to ensure harmonious working, particularly in Sind, between Muslims and Hindus, since ill-feeling between the two communities can do a great deal of harm and can do no good. I, therefore, feel that this requirement of harmonious working between communities should be made a basic requirement of policy, and the two communities should be as closely

associated as possible in discussing and framing a policy and if possible in carrying it out in the interests of Sind as a whole and Pakistan as a whole rather than in the interests of one community or another. Previous to the political settlement which is now being made there has naturally been a good deal of opposition from Hindus to partition since this makes them the minority community in Pakistan. But it is clear from press reports everywhere that now that partition has been decided upon, the Hindu community except for a few communalists, who should be ignored, have decided that it must accept partition⁵ and that its object now should be to live amicably with Muslims in a Muslim state and to forget the communalism which has occurred, as quickly as possible.

R. R. PEARCE
Secretary

⁵See Annex I to No. 49, Vol. II, 106-8.

²Underlined here and subsequently in the original.

³Finance Department.

⁴Agriculture and Industries.

⁵Food and Civil Supplies.

⁶See Annex IV to No. 299, Vol. II, 570-2.

150

M. M. Ghani Khan to M. A. Jinnah

F. 707/1-2

NAGOD STATE, CENTRAL INDIA,
VIA SATNA, G.I.P. RAILWAY,
14 July 1947

Kindly accept warmest congratulation and felicitations, to which effect I have also sent you today a telegram.¹ I was on tour and therefore, read the news in the press only today.

I am here by accident. H.H. the Maharaja Sahib of Nagod with affection and sincerity invited me here as his Constitutional Adviser and Chief Minister. Indeed, I had to accept the invitation.

Sincerely yours,
M. M. GHANI KHAN
Constitutional Adviser and Chief Minister

¹Not available in QAP.

151

Maharaja of Kapurthala to M. A. Jinnah

F. 701/72

UTTAM VILLA, SRINAGAR,
KASHMIR,
14 July 1947

My dear Mr. Jinnah,

I was very pleased to hear that you have been nominated as the first Governor-General of the newly created Dominion of Pakistan and write to offer you my sincere congratulations on this signal distinction.

With kind regards,

Yours sincerely,
JAGATJIT SINGH

152

Mir Muhammad Shah to M. A. Jinnah

F. 576/35

SIND PROVINCIAL MUSLIM LEAGUE,
NAPIER ROAD, KARACHI,
14 July 1947

Sir,

Mr. Yousaf A. Haroon, President, Sind Provincial Muslim League, has asked me to forward herewith in original, a letter from D.S. Sadula Khan, Dasada, Dubargadh,¹ for favour of perusal and such action as you are pleased to deem necessary.

Most respectfully yours,
MIR MUHAMMAD SHAH
Office Secretary

¹See No. 61.

153

H. M. Patel to M. A. Jinnah
F. 127/80

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
14 July 1947

IMMEDIATE/SECRET

No. P.O. -23/PC/47

The Steering Committee present their compliments to Mr. Mohammad Ali Jinnah and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at The Viceroy's House at 10 a.m. on Thursday, the 17th July.

AGENDA

1. Plan of action in the event of possible clashes or disturbances in the neighbourhood of the boundaries between the two Dominions after 15th August. (Note by H.E. the C-in-C attached)
2. Interim Report of Expert Committee No. V (ii) with the remarks of the Steering Committee thereon. [F. 127/83-5, QAP, not printed].¹
3. Reports of Departmental Sub-Committees of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee relating to the following Departments—
 - a. Transport (will follow)²
 - b. Education
 - c. Central Board of Revenue
 - d. Legislative
 - e. Works, Mines, and Power³

(Reports attached. Steering Committee's comments are also attached.)

H. M. PATEL

¹The Steering Committee had forwarded, for the information of the Partition Council, the Interim Report of Expert Committee No. V (ii) on Budget and Accounts recommending that all accounts of the Government of India, viz. Civil, Railway, P & T, Defence, etc., be closed on 14 August 1947 as if it were the end of the financial year. All capital, stores, works-in-progress, departmental cash, imprest, provident fund, and other accounts be similarly closed on that date. Auditor-General of India, who was to supervise the closing operation, issued the necessary instructions on 12 July 1947. The Railway Board supplemented those instructions on 20 July 1947 to cover Audit and Accounting, running of goods and passenger services within the two Dominions as well as from one Dominion to another, interchange of coaching and goods stock, supply of power, and repair facilities in one Dominion

for the rolling stock of the other. The Railways Sub-Committee also issued its report on 22 July 1947—on the subject. K. Ubaidullah, a member of the Sub-Committee, presented a deficit budget for the Pakistan Railways for the period 15 August 1947 to 31 March 1948. See F. 741/1-40, F. 742/1-7 and F. 719/1, QAP. Not printed.

²Sent by H. M. Patel on 15 July 1947. See F. 127/134-64, QAP. Not printed.

³Revised papers sent by H. M. Patel on 15 July 1947. See F. 127/134 and 166-77, QAP. Not printed.

Enclosure 1 to No. 153
C. J. Auchinleck to Louis Mountbatten¹

F. 127/81

PERSONAL/SECRET

NEW DELHI,
[Undated July 1947]

Dear Lord Mountbatten,

I was asked by Your Excellency at a recent meeting of the Partition Council² to prepare a plan in case of possible clashes or disturbances in the neighbourhood of the boundaries between the two Dominions after the 15th August.

I recommend that the Joint Defence Council should have the authority of both the India and Pakistan Governments to declare any affected districts to be "disturbed areas".

When this has been done, the Supreme Commander, acting on the request of the Joint Defence Council, will specially appoint a British Commander, with an adequate HQ, who will have military control over the area and of such troops and air forces as are considered by him to be necessary. These troops etc. should be allotted by the Commanders-in-Chief of the two Dominions, at the request of the Joint Defence Council.³

The British Commander, so appointed,⁴ will be responsible to the Joint Defence Council, through the Supreme Commander, who, for this purpose, will temporarily have operational control.

The above procedure would be similar to arrangements I would make for disturbances on the boundary before 15 August, and will apply both in the Punjab and Bengal.⁵

Yours sincerely,
C. J. AUCHINLECK

¹Also see No. 102, TP, XII, 146-7.

²Enclosure to No. 7.

³The words "Definition of Zones" recorded in the margin by Jinnah.

⁴Major-General T. W. Rees was appointed Commander, Punjab Boundary Force, August-September 1947.

⁵The words "Broad principles accepted. General Rees to be the Commander and have 1 Muslim and 11 Hindu advisers whose names to be announced" recorded in the margin by Jinnah.

*Enclosure 2 to No. 153**F. 127/87*

No. 1/E.C. (1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI,
10 July 1947

MEMORANDUM¹

Subject: Report of the Education Department Sub-Committee of Expert Committee No. 1 on Item 1 (a) (i) of the terms of reference

A copy of the report dated the 3rd July 1947 of the Education Department Sub-Committee on item 1 (a) (i) of the terms of reference is forwarded herewith. The Committee has considered the report and has approved it subject to the following modifications:

- a. In the set-up proposed for the Pakistan Secretariat the post of Under-Secretary is unnecessary. The work assigned to that office could be discharged by the Deputy Secretary assisted by the Education Officer.
- b. All scholars sent overseas by the Education Department should be asked to opt whether on their return they intend to serve the Government of Pakistan or the Government of India. In the case of those scholars who opt to serve Pakistan (and, if necessary, execute an agreement for the purpose) the financial liability after 15th August 1947 will be borne by the Pakistan Government.
- c. The Education Department Sub-Committee should be asked to consider the division of archives and museums and make a report on the subject. The staff proposed for the archives and library section of the Central Pakistan Government will be considered after the receipt of this report.

The orders of the Partition Council are requested on the following points:

- a. Central and Regional Organisation of the Archaeological Department, Pakistan and of the existing Archaeological Department.
- b. The recommendation made above regarding overseas scholars.

P. V. R. RAO
M. AYUB
Secretaries

The Steering Committee
(H. M. Patel/Mohamad Ali)

¹For recommendations of the Steering Committee, see F. 127/86, QAP. Not printed.

*Annexure I to Enclosure 2 to No. 153**F. 127/88-9*DEPARTMENT OF EDUCATION
ORGANISATION OF THE CENTRAL EDUCATION
DEPARTMENT—PAKISTAN

It has been presumed that the Pakistan Government will maintain a Central Education Department with the functions similar to those of the present Government of India. It is suggested that the Department, to start with, should be organized to deal with the following subjects:

- i. Administrative, Cash, Issue, etc.
- ii. General, Educational Planning and Co-ordination
- iii. Overseas Scholarships, Welfare of students abroad, Exchange of teachers, Cultural contacts, etc.
- iv. Planning of Higher Technical and Technological Education
- v. Libraries, Museums and Archives
- vi. Archaeology
- vii. Encouragement of Educational and Cultural activities through grant[s]-in-aid to voluntary organisations
- viii. Promotion of Social and Recreative activities—Youth Movement, Scouts, Girl Guides, etc.

The organisation set out as the attached sheet is the minimum requisite to deal efficiently with the responsibilities that would rest on the new Government. The organisation may be built up in stages over a period of one to three years. If, however, the Central Pakistan Government contemplate a comprehensive educational drive, which would involve direct responsibility at the Centre, the organisation may have to be strengthened.

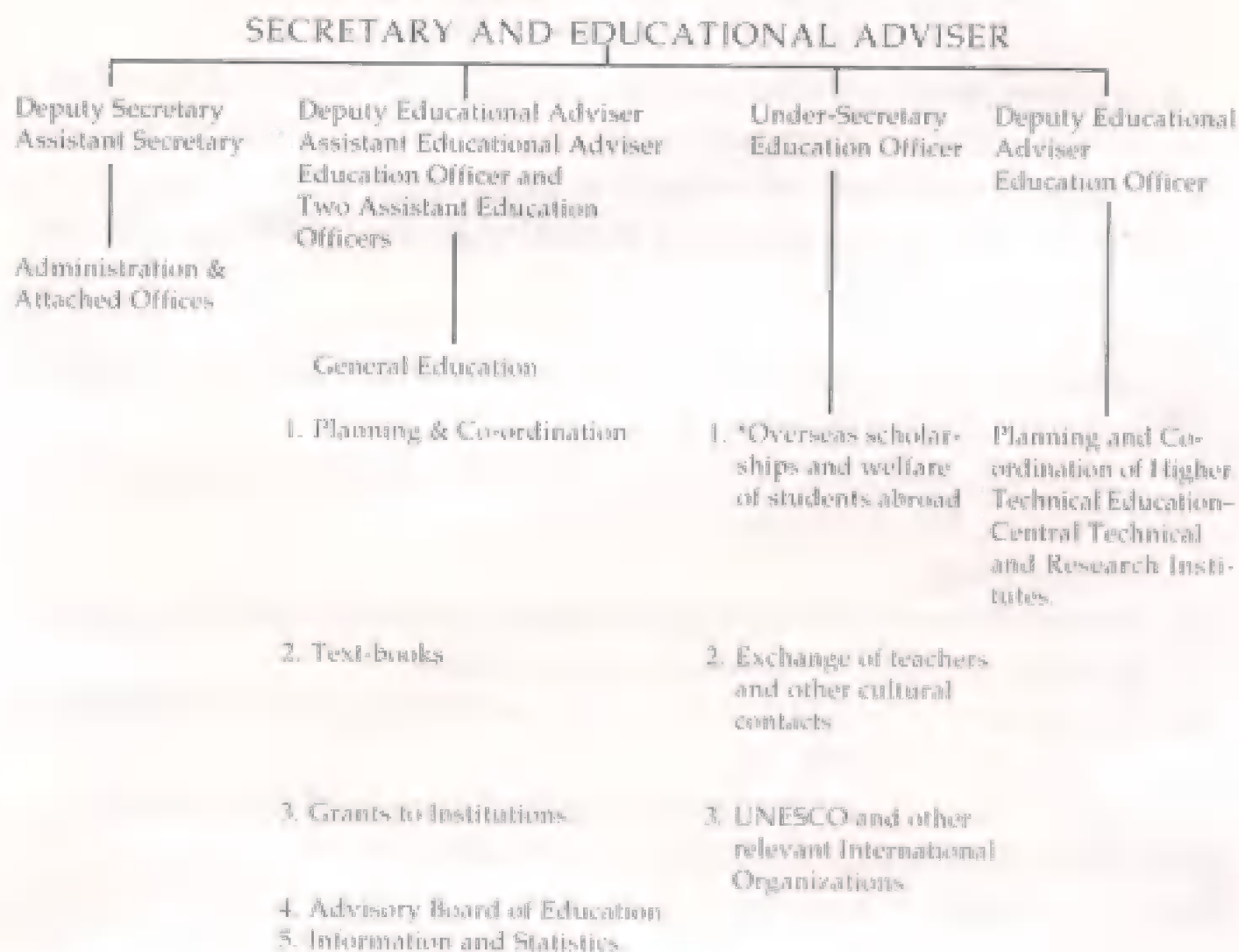
Note[s].

- [1.] It is recommended that all administrative staff including Secretary and Deputy Secretary should be educational experts, as is the practice in Western countries.
- [2.] Deputy Educational Advisers may also be given Secretariat status if they are officers with at least three years' experience.
- [3.] Grades and Salaries of Staff:
The grades, salaries and other conditions of service of the staff as accepted by the present Government on the recommendation of the Pay Commission may be adopted for all staff—Ministerial and otherwise.

Annexure II to Enclosure 2 to No. 153

F. 127/90-3

CHART I

**[SUMMARY]**

Secretary and Educational Adviser
1 Deputy Secretary
2 Deputy Educational Advisers
1 Assistant Educational Adviser
1 Under-Secretary
1 Assistant Secretary
*2 Educational Liaison Officers
(for U.S.A. and U.K.)
3 Education Officers
2 Assistant Education Officers

SUBJECTS UNDER PAKISTAN EDUCATION DEPARTMENT

1. Grants to Educational, Scientific and Cultural Institutions
2. Historical Records Commission
3. Records-Archives
4. Libraries
5. Equivalence of Educational Degrees
6. Reformatory Schools
7. Female Education in General
8. Advisory Board of Education and its Committees

9. Educational Information and Statistics
10. Inter-University Board
11. Anglo-Indian Education
12. United Nations Educational, Scientific and Cultural Organisation
13. Educational Planning
14. Technical Education
15. Overseas Scholarships
16. Educational Liaison Officers in U.K. and U.S.A.
17. Scholarships to Scheduled Castes and other backward communities
18. Cultural relations with other countries
19. Recreative and Social Activities
20. Adult Education
21. Religious Education
22. Copyright
23. Registrations of Books Act
24. Charitable Endowments
25. Publications
26. Educational Documentary Films
27. Educational and Cultural Exhibitions
28. Cash Work
29. Office Establishment
30. Archaeology
31. Museums

OFFICE

The office set-up of the Education Department in the Pakistan Government will be as follows:

There will be a General Section with other four Sections, including Cash, Issue, Despatch, etc. The four Sections will have 1 Superintendent, 4 Assistants and 3 Clerks each and the General Section, 1 Superintendent, 4 Assistants and 4 Clerks. Besides, the following will be required: Cashier 1; Assistant Cashiers 2; Typists including Assistant- in-Charge of the Issue Section 8; Receipt Clerk 1; Stationery Clerk 1

The total ministerial establishment will thus come up as follows: Superintendents 5; Assistants 20; Clerks 29; Stenographers 6

CLASS IV ESTABLISHMENT

Daftries 10; Peons 15 for office, 15 for officers; Jamadars 4; Farashies 3
[Para 2 regarding organisation of the existing Education Department of the Government of India omitted]

*Annexure III to Enclosure 2 to No. 153**F. 127/94-101**3 July 1947*

DEPARTMENT OF EDUCATION
CENTRAL AND REGIONAL ORGANISATIONS OF THE
ARCHAEOLOGICAL DEPARTMENT—PAKISTAN

A broad outline scheme of the composition of the staff of every category that will be necessary to entertain for carrying out archaeological work in the Pakistan Dominion without any deviation from the routine hitherto pursued when that Dominion formed part of an all-India organisation is appended herewith. This scheme provides for the archaeological work in the Western and Eastern Pakistan Zones to be guided and supervised by a Director from a common centre and this important part of the scheme therefore provides for its success a staff for the Director's office comprising mostly of specialists such as Archaeological Chemist, Epigraphist and Numismatist as well as Archaeological Conservator of buildings. No provision has been made in the organisation in regard to excavation staff. The Pakistan Government will have to appoint additional men as and when they take on excavation work. Gazetted staff needed to give effect to this scheme will be: 1 Director, 2 Superintendents, 2 Assistant Superintendents, 1 Epigraphist and Numismatist, 1 Chemist, 1 Engineer or Conservator of Monuments.

The strength of staff of all categories mentioned in the attached scheme under Western Pakistan (corresponding to present Frontier Circle of Archaeology minus the Punjab Districts of east of Lahore) and Eastern Pakistan (corresponding to present Eastern Circle of Archaeology minus Western Bengal and Assam without Sylhet), it may be pointed out, is very nearly the same as is sanctioned at present for these circles forming part of an all-India Department.

[Para 2 omitted]

MINIMUM STAFF FOR DIRECTOR OF
ARCHAEOLOGY'S OFFICE—PAKISTAN

GAZETTED CLASS I

Director of Archaeology	1
Epigraphist and Numismatist	1
Chemist	1
Engineer	1

GAZETTED CLASS II

Office Superintendent	1
-----------------------	---

MINISTERIAL

Assistant	1
Accountant	1
Clerks	3
Typists	2
Steno[grapher]	1
Draftsman	1
Photographer	1
Photo-printer	1
Chemical & Laboratory Assistants	2
Librarian	1
Store-keeper	1
Epigraphical Ass[is]t[an]t (<i>Munshi</i>)	1
Modeller	1

INFERIOR

Office <i>Daftri</i>	1
Library <i>Daftri</i> (literate)	1
<i>Jamadar</i>	1
Peons	8

MUSEUMS AND EXCAVATION SITES UNDER THE CHARGE OF
DIRECTOR OF ARCHAEOLOGY—PAKISTANNON-GAZETTED
TAXILA
PERMANENT

Curator	1
Clerk	1
Peon	1
Head Attendant	1
Assistant Attendant	1
Head Mason	1
Engine Driver	1
<i>Bhistis</i>	4
Coolies	4
Garden Coolies	2

TEMPORARY

Garden Supervisor	1
Attendants	2

WORK CHARGE	
Night <i>Chowkidars</i>	2
<i>Punkha Cooly</i>	1
Sweeper	1
MOHENJO DARO PERMANENT	
Curator	1
Clerk	1
TEMPORARY	
<i>Mali</i>	1
<i>Chowkidars</i>	3
Gardener	1
<i>Bhistis</i>	2
Sweeper	1
WORK CHARGE	
Store <i>Chowkidar</i>	1
Site <i>Chowkidars</i>	2
Bull Driver	1
<i>Punkha Cooly</i>	1
Night <i>Chowkidars</i>	2

Note. The staff organisation for these Museums is provisional subject to any change that may be mutually agreed upon by the two Governments in regard to any re-allocation of antiquities.

HARAPPA TEMPORARY	
Custodian	1
WORK CHARGE	
Museum <i>Chowkidars</i>	2
Night <i>Chowkidars</i>	3
<i>Mali</i>	1
<i>Baildar</i>	1
Sweeper	1
WESTERN PAKISTAN	
Monuments	187
GAZETTED	
Superintendent	1
Assistant Superintendent	1

	NON-GAZETTED	
Head Clerk	}	
Second Clerk		
Accountant		5
Accounts Clerk		
Steno-typist		
	TECHNICAL	
Conservation Assistants		2
Overseers		2
Draftsman and Assistant		2
Photographer		1
Custodian Lahore Fort		1
<i>Dafti</i>		1
<i>Jamadar</i>		1
Peons		5
Head Attendant		1
2nd Attendant		1
<i>Sikligar</i>		1
<i>Chowkidars</i>		2
Head Gardener		1
Labourers		8
Boy Coolies		14
<i>Bhisti</i>		1
Sweepers		5
	EASTERN PAKISTAN GAZETTED	
Superintendent		1
Assistant Superintendent		1
	NON-GAZETTED	
Conservation Assistants		2
S. Overseers		2
Draftsman		1
Photographer		1
Storekeeper (Paharpur)		1
Head Clerk		1
2nd Clerk		1
Accountant		1
Steno-typist		1

INFERIOR

<i>Dafti</i>	1
<i>Jamadar</i>	1
Peons	3
<i>Chowkidar</i>	1

DEPARTMENT OF EDUCATION—ARCHIVES AND LIBRARY
CENTRAL PAKISTAN

We consider that an office to deal with Archives and Library is necessary. It is difficult to anticipate the future requirements, but a modest beginning may be made with the following set-up:

	Pay [Scales]
	Rs.
1 Director	950-50-1,150
2 Assistant Directors (one in charge of Library and the other in charge of Archives)	500-800
1 Superintendent (Archives)	275-15-450
4 Senior Technical Assistants	250-10-300-15-450-25/2-500
5 Junior Technical Assistants	160-[10]-330
10 Checkers, Sorters and Menders	40-2-60-3/2-75
15 Dusting Bearers and Peons	30-1/2-50
1 <i>Jamadar</i>	35-1-50
1 Night Watchman	35-1-50
1 Superintendent Reading Room (Library)	250-10-300-15-450-25/2-500
2 Assistants	I 160-10-330 II 250-10-300-15-450
12 Clerks and Typists	68-4-120/EB-5-170
1 Stenographer	Junior/ 160-10-330 Senior 250-10-300-15-450
3 Junior Technical Assistants (Library)	100-8-140-10-250
6 <i>Daftries</i>	35-1-50
3 Peons	30-1/2-35
4 Dusting Bearers	30-1/2-35

NB. The scales of pay suggested are those recommended by the Central Pay Commission.

M. ASADULLAH
D. M. SEN

*Enclosure 3 to No. 153**F. 127/102*RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
REPORT OF THE CENTRAL BOARD OF REVENUE SUB-COMMITTEE
ON ITEM 1 (a) (i) OF THE TERMS OF REFERENCE OF EXPERT
COMMITTEE NO. 1

The Steering Committee have considered the report of the Central Board of Revenue Sub-Committee and are of the view that it is not possible to take at this stage any final view as to the actual strength of the staff that would be required by the two Governments. It is, however, recommended that the immediate arrangements to be made in connection with Partition should be based on the recommendations made in the report, the more permanent arrangements being left over for consideration by the Government concerned at a later date.

*Annexure 1 to Enclosure 3 to No. 153**F. 127/103*

No. 1/E.C.(I)

GOVERNMENT OF INDIA,
HOME DEPARTMENT,
NEW DELHI,
10 July 1947

MEMORANDUM

Subject: Report of the Central Board of Revenue Sub-Committee on Item 1 (a) (i) of the Terms of Reference of Expert Committee No. 1

A copy of the Report of the Central Board of Revenue Sub-Committee of Expert Committee No. 1 on Item 1 (a) (i) of the Terms of Reference is forwarded herewith. Expert Committee No. 1 has considered the Report and agrees with the recommendations made.

2. The orders of the Partition Council are requested regarding the set-up proposed for the Central Board of Revenue of Pakistan and the Government of India, respectively.

P. V. R. RAO
M. AYUB
*Secretaries*The Steering Committee
(H. M. Patel/Mohamad Ali)

*Annexure II to Enclosure 3 to No. 153**F. 127/104-13*REPORT OF SUB-COMMITTEE NO. 5 (C.B.R.)
OF EXPERT COMMITTEE NO. I

We submit in advance, as required by the main Committee, our recommendations in regard to terms of reference 1 (a) (i).

The various kinds and grades of staff required for each of the two Governments after partition are in our opinion as shown below:

[Portion A about India omitted]

B. PAKISTAN

I. CENTRAL BOARD OF REVENUE

Kinds and grades of staff	Number required
---------------------------	-----------------

GAZETTED

Members (Joint Secretaries)	2
Deputy Secretary	1
Under-Secretaries	2
Specialist Officer	1
Technical Officers	2
Statistician	1
Superintendents	3

MINISTERIAL

Assistants-in-Charge	2
Statistical Assistants	2
Assistants	23
Clerks	60
Stenographers	8
Draftsman	1

CLASS IV SERVICE

<i>Daftries</i>	11
Peons (including <i>Daffadar</i> and <i>Jamadar</i>)	28

II. INCOME-TAX DEPARTMENT

1. COMMISSIONER OF INCOME-TAX, EAST BENGAL AND SYLHET

GAZETTED

Commissioner of Income-tax (Junior)	1
Inspecting Assistant Commissioner	1
Appellate Assistant Commissioner	1

Income-tax Officers:

Grade I	1	
Grade II	7	
Grade III	15	[Total] 23

NON-GAZETTED EXECUTIVE POSTS

Inspectors	9
------------	---

MINISTERIAL

Supervisors, Grade II	2
Head Clerks	8
Upper Division Clerks	62
Lower Division Clerks	47
Steno-typists	21
Stenographers	3

CLASS IV SERVICE

Bailiffs	4	
<i>Daftries</i>	13	
Peons	76	[Total] 93

2. COMMISSIONER OF INCOME-TAX, WEST PUNJAB AND N.W.F.P.

GAZETTED

Commissioner of Income-tax (Junior)	1
Inspecting Assistant Commissioners	2
Appellate Assistant Commissioners	4

Income-tax Officers:

Grade I	9	
Grade II	19	
Grade III	31	[Total] 59

NON-GAZETTED EXECUTIVE STAFF

Inspectors	21
------------	----

MINISTERIAL

Supervisors:	Grade I	4	
	Grade II	6	[Total] 10
Head Clerks			15
Upper Division Clerks			151
Lower Division Clerks			101
Steno-typists			45
Stenographers			8

CLASS IV SERVICE

<i>Jamadar</i>	1
<i>Daftary</i>	1
Peons	233

3. COMMISSIONER OF INCOME-TAX, SIND & BALUCHISTAN
(NOT AFFECTED BY PARTITION)

III. CUSTOMS

(Offices situated within Pakistan will be transferred intact)

IV. CENTRAL EXCISE DEPARTMENT

1. CHITTAGONG COLLECTORATE

GAZETTED

Collector	1
Deputy Collector	1
Assistant Collectors	4
Assistant Collector (Customs)	1
Chief Accounts Officer	1
Superintendents	21

NON-GAZETTED EXECUTIVE STAFF

Deputy Superintendents	46
Inspectors	800
Supervisors	

MINISTERIAL

Office Superintendent	1
Selection Grade I	9
Selection Grade II	13
B-Grade	70
C-Grade	200
Stenographers	7
Draftsman	1

CLASS IV SERVICE

<i>Daftaries</i>	6
<i>Jamadars</i>	42
Peons	750
Boatmen	38
Head Boatmen	7
<i>Sukhani</i>	2
<i>Bhandari</i>	1
<i>Lascars</i>	4
Greasers	4

Drivers	2
Masters	2
Cassub	1
Electrician	1
Sweeper	1

CUSTOMS ESTABLISHMENT (CHITTAGONG)

Appraisers	2
Office Superintendent	1
Audit Clerk	1
Accountant	1
Upper Division Clerks	2
Cashier	1
Lower Division Clerks	24
Chief Inspector	1
Inspector	1
Preventive Officers	17
Lascars	12
Jamadar	1
Peons	19
Mali	1
Sweepers	3
Foreman	1
Jamadar	1
Barakandas	13
Fitter	1
Carpenter	1
Blacksmith	1
Golders	5

2. LAHORE COLLECTORATE
GAZETTED

Collector (Head Office)	1
Chief Accounts Officer (Head Office)	1
Liaison Officer (Head Office) (Gypsum)	1
Chief Mining Engineer, Khewra	1
Additional Chief Mining Engineer, Daudkhel	1
Electrical and Mechanical Engineer, Khewra	1
Assistant Electrical and Mechanical Engineer, Daudkhel	1
Mine Manager, Khewra	1
Labour Officer, Khewra	1
Master Driller (Not yet Gazetted)	1
Assistant Collectors, Central Excise	4

Administrative Officer, Khewra	1
Superintendents	21
Assistant Surgeon, Khewra	1

NON-GAZETTED EXECUTIVE STAFF

Deputy Superintendents	41
Inspectors	356
Supervisors	230
Lady Sub-Assistant Surgeon, Khewra	1
Sanitary Inspector	1

MINISTERIAL

Office Superintendent	1
Head Accountant	1
Clerks Grade I	9
Clerks Grade II	21
Clerks Grade III	88
Clerks Grade IV	189
Sorters (Head Office)	6
Stenographer	1
Divisional Accountant	1
Junior Accountants	3

CLASS IV SERVICE

<i>Kotgasht</i>	11
Special <i>Jamadar</i> of the rank of <i>Kotgasht</i> in Kohat Division	8
<i>Jamadars</i>	90
Peons	1128
<i>Daftaries</i>	7
Time-keepers	6
Engineering Subordinates	38
Medical Subordinates	6

No reduction has been made in the present Board's Office and offices attached and subordinate to it at the Headquarters as the portion of the work which will be transferred to the future Pakistan Government will not be appreciable enough to justify any immediate reduction in staff. The actual distribution of work in the Board's Office not being on a regional basis also adds to the difficulty in reducing the staff at the present juncture. In the Attached Offices, however, where the work is to a certain extent organised on a regional basis we have been able to effect some reductions. For instance, in the office of the Directorate of Inspection (Income-tax), we have recommended the

abolition of the post of Senior Deputy Director of Inspection, and in the Inspectorate of Customs and Central Excise we have recommended the reduction of 8 Inspecting Officers.

As regards the Control Laboratory, no reduction of staff is suggested as there will be no diminution of work. We have not suggested the setting up of a Control Laboratory for Pakistan because it is not expected that there will be enough work for it.

Reports on items (a) (ii) and (iii) of the terms of reference will follow.

A. A. BURNEY
INDARJIT SINGH
Secretaries

K. R. K. MENON
M. ILM-UD-DIN
A. QADIR
A. SATTANATHAN
[Members]

Enclosure 4 to No. 153

F. 127/117

RECOMMENDATIONS OF THE STEERING COMMITTEE
ON THE REPORT OF LEGISLATIVE DEPARTMENT
SUB-COMMITTEE ON ITEM 1 (a) OF THE TERMS OF
REFERENCE OF EXPERT COMMITTEE NO. 1

The report of the Legislative Department Sub-Committee on the organizational consequences of partition is forwarded herewith. Annexures III, IV and V have been omitted from the attached papers as the questions relating to the division of furniture, reference books, and duplication of files are separately engaging the attention of Expert Committee No. 1. The Steering Committee recommend that—

- a. Such administrative arrangements as may be required for the immediate future may be based on the proposals contained in Annexures I and II of the report. The more permanent arrangements to be made will have to be left over for consideration at a later date as it is impossible at this stage to take a final view of the staff requirements of the two Governments;
- b. The principle enunciated in paragraph 4 of the Sub-Committee's report for the provision of law books for Pakistan's Legislative Department be accepted;
- c. The Sub-Committee's recommendation—
 - (a) to reduce the number of Income-tax Appellate Tribunals in India by one, and
 - (b) to set up one Tribunal for Pakistan, be accepted.

*Enclosure 5 to No. 153**F. 127/118*

NO. 1/E.C. (1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI-3,
10 July 1947

MEMORANDUM

Subject: Report of the Legislative Department Sub-Committee of Expert Committee No. 1 on Item 1 (a) of the Terms of Reference

A copy of a report dated the 4th July 1947 of the Legislative Department Sub-Committee on item 1 (a) of the terms of reference is forwarded herewith. The report was considered by this Committee and approved. It was also agreed that the Departmental Sub-Committee should be entrusted with the task of dividing the books of the Publication Branch etc. listed in Annexure 'D' to their report.

2. The orders of the Partition Council are requested on the proposals contained in Annexure 'G'² to the Sub-Committee Report regarding the arrangements for the disposal of income tax appeals.

P. V. R. RAO
M. AYUB
Secretaries

The Steering Committee
(H. M. Patel/Mohamad Ali)

¹Not available in QAP.

²Annexure II to Enclosure 6.

*Enclosure 6 to No. 153**F. 127/119-20*

*Members of Sub-Committee to Secretaries,
Expert Committee No. 1*

GOVERNMENT OF INDIA,
LEGISLATIVE DEPARTMENT,
NEW DELHI,
4 July 1947

REPORT OF THE DEPARTMENTAL SUB-COMMITTEE OF EXPERT COMMITTEE NO. 1 IN RESPECT OF THE LEGISLATIVE DEPARTMENT
With regard to item (a) (i)¹ of the Terms of Reference read with

paragraph 1 A of the memorandum from the Expert Committee No. 1, No. 1/E.C. (1), dated the 20th June 1947, we enclose (Annexures A² and B³) two sketches of the administrative machinery which we recommend for the Legislative Department of the two Governments consequent on partition. The various kinds and grades of staff which in our opinion are required by each have been indicated in these sketches.

2. With regard to item (a) (ii) of the Terms of Reference read with paragraph 1 B of the Memorandum referred to above,

A. We enclose (Annexure C⁴) a list of office furniture etc., in possession of the Legislative Department, showing the present distribution of the items between the Simla and the Delhi sections of the office;

B. We also enclose (Annexure D⁵) a list of reference books in possession of the Department. In both these lists (Annexures C & D) columns have been provided for Expert Committee No. 1 to indicate the distribution of the items between the two Governments, as we are unaware of the principles or the basis on which such division is to be effected.

3. As regards item (a) (iii) of the Terms of Reference read with para 1 (c) of the memorandum, we enclose (Annexure E⁶) a list of files in possession of the Department (i.e. to say, current files of 1947 and files from 1939 which are classified as "A" under Secretariat Instructions—*vide* Expert Committee No. 1 Memorandum No. 1.E.C. (1), dated the 24th June 1947). Our recommendation as to the disposal of these files has been indicated against each entry.

4. This Department maintains a library of Law Books. We propose that wherever more than one copy of a book exist at least one of the copies should be made available to the Pakistan Government and in case of books in constant use more than one copy should be made available on the basis of a fair proportion going to Pakistan as far as possible. A list of law journals etc., in possession of the library, showing the number of copies held of each and our recommendation as to their distribution between the two Governments is enclosed (Annexure F⁷).

5. This Department has no attached offices and its sub-ordinate offices consist of—

- (1) an Income-tax Appellate Tribunal with Benches at Bombay, Allahabad, Calcutta, and Madras;
- (2) five Special Tribunals, two at Calcutta, two at Lahore, and one at Simla, and
- (3) four Pensions Appeal Tribunals, one each at Rawalpindi, Jullundur,

Lucknow and Madras and one Central Appeal Tribunal at Delhi with authority to hear appeals from the regional Tribunals.

6. Our recommendations regarding the organization of the Income-tax Appellate Tribunal in Pakistan are appended (Annexure G⁸).

7. We tentatively recommend that the War Pensions Appeal Tribunal at Rawalpindi be converted into a Tribunal for the disposal of all cases arising in Pakistan areas. Detailed recommendations in this behalf will follow.

8. Proposals for the division of the Special Tribunals as well as lists of files, office equipment, etc., in possession of all the sub-ordinate offices will be submitted in due course.

S. A. LAL

S. A. RAHMAN

*Members of the Departmental Sub-Committee of
Expert Committee No. I for the Legislative Department*

¹Enclosure 5.

²See F. 127/121-2, QAP. Not printed.

³Annexure I to Enclosure 6.

^{4,5,6,7}Not available in QAP.

⁸Annexure II to Enclosure 6.

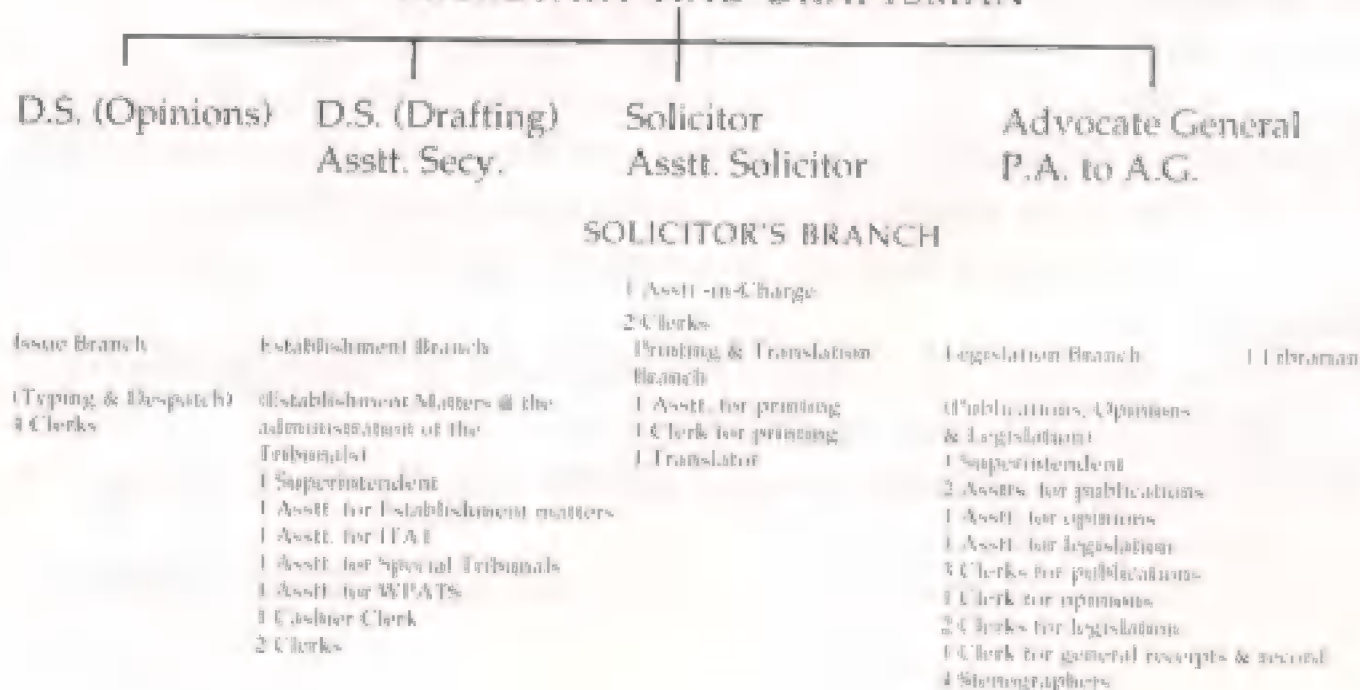
Annexure I to Enclosure 6 to No. 153

F. 127/122

ANNEXURE B¹

PROPOSED ADMINISTRATIVE MACHINERY AND ORGANIZATION OF THE LEGISLATIVE DEPARTMENT OF THE GOVERNMENT OF PAKISTAN

SECRETARY AND DRAFTSMAN



[NB.] No Council Reporter has been included on the assumption that the organization of the Council of State or any part of the Dominion Legislature of Pakistan will not be the responsibility of the Legislative Department of the Pakistan Government.

¹Annexure A dealt with the set-up in India. See F. 127/121, QAP. Not printed.

Annexure II to Enclosure 6 to No. 153

F. 127/123-4

ANNEXURE G

As for the division of the work of the Income-tax Appellate Tribunal, we discussed the question with Mr. Shah, President of the Tribunal, this morning.

2. The number of appeals estimated to arise in a year in Pakistan is in the neighbourhood of 600. The number of pending appeals relating to that area is estimated to be about 1,100. The average disposal by a Bench is about 700 in a year. We think, therefore, that to begin with one Bench should suffice. One Muslim Judicial Member and one Muslim Accountant Member have already volunteered for service in Pakistan, and they can form the Bench for that area. The Judicial Member will have to be appointed as President.

3. Two Assistant Registrars and one Stenographer who for some time had officiated as Superintendent have also volunteered for service in Pakistan and will be available for constituting the office of the Tribunal there.

4. We think that the staff should consist of one Registrar, one Superintendent, one Assistant Superintendent, two Stenographers, and four Clerks. This staff should be sufficient to begin with.

5. As the number of appeals arising in Western Punjab will be greater than the number of appeals arising in Sind, and N.W.F.P. or Eastern Bengal, it would be convenient from the point of view of the assesseees if the headquarters of the Tribunal are located at Lahore which has rail and air connections with other areas of Pakistan. This is, however, a matter to be decided by the Government of Pakistan.

6. As for office equipment and furniture, we propose that the entire office equipment and furniture of the Calcutta Bench should be made available to Pakistan. As for files, copies of correspondence between the Government of India and the Tribunal would in most cases be available with the Calcutta Bench and they can remove such copies to Pakistan. Lists of other files and other assets are being prepared by the Registrar of the Tribunal and will be submitted in due course.

7. As our proposal is that one Bench will suffice, at any rate to start with, the question may in rare cases arise as to the action to be taken in the event of a difference of opinion between the two members of the Bench. Our suggestion is that in such cases, which are not likely to be many, the Government should make an *ad hoc* appointment of a third member for the purposes of those cases only.

8. A fee of Rs. 100 is payable in respect of each appeal to the Tribunal. Our suggestion is that the fees received in respect of pending appeals which are to be transferred to Pakistan should be handed over to the Government of Pakistan.

9. As for the principle on which pending appeals should be distributed between the two areas, we suggest that regard should first be had to the jurisdiction of the income-tax officer from whose decision the appeal is preferred. If such jurisdiction falls within the territory of Pakistan, the appeal should be transferred to Pakistan. It is conceivable that in a few cases, the jurisdiction of the income-tax officer may itself be split as the result of partition. In such a case, regard should be had to the place of residence or business, as the case may be, of the assessee.

S. A. LAL

S. A. RAHMAN

Enclosure 7 to No. 153

F. 127/125

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
(REPORT OF THE WORKS, MINES, AND POWER
DEPARTMENTAL SUB-COMMITTEE)
(ON ITEM 1 (a) (i) OF THE TERMS OF REFERENCE OF EXPERT
COMMITTEE NO. I)

The Steering Committee have considered the Report of the Works, Mines, and Power Department Sub-Committee on the organizational consequences of partition and recommend that immediate administrative action be based on the proposals contained therein. The question of the more permanent arrangements to be made in the two Dominions will have to be considered at a later date as it is impossible at this stage to take a final view of the staff requirements of the two Governments.

*Annexure I to Enclosure 7 to No. 153**F. 127/126*

No. 1/E.C.(1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI,
10 July 1947

MEMORANDUM

Copies of the Reports of the Works, Mines, and Power Department Sub-Committee of Expert Committee No. 1 on item 1 (a) (i) of the Terms of Reference dated the 2nd July 1947 and the 5th July 1947 are forwarded herewith. Expert Committee No. 1 has considered the Reports. It is of the opinion that the set-up proposed for the attached offices of the Pakistan Government is somewhat on the high side for a start, but it is assumed that the exact number of posts in each office will be determined in due course by the Administrative Department of the Pakistan Government, in consultation with the Finance Department.

2. The orders of the Partition Council are requested regarding the proposed set-up of the following 11 offices of the Pakistan Government and the reductions, if any, proposed in the offices of the Government of India:

1. Central Public Works Department
2. Estate Office
3. Central Waterways, Irrigation and Navigation Commission, and Consulting Engineer
4. Electrical Commissioner
5. Indian School of Mines, Dhanbad
6. Explosives Department
7. Petroleum Division
8. Printing and Stationery Department
9. Geological Survey of India
10. Central Waterways, Irrigation and Navigation Research Station
11. Central Technical Power Board

P. V. R. RAO
M. AYUB

The Steering Committee
(H. M. Patel/Mohamad Ali)

*Annexure II to Enclosure 7 to No. 153**F. 127/127-8*

No. PN. 45

GOVERNMENT OF INDIA,
WORKS, MINES, AND POWER
DEPARTMENT (SUB-COMMITTEE),
NEW DELHI,
2 July 1947

Sirs,

We have the honour to refer to item 1 (a) (i) of the Terms of Reference and para 'A' of your Memorandum No. 1 E.C. (I), dated the 20th June 1947. Our recommendations in respect of the following organisations that will be required by the new Pakistan Government are given in the attached schedule:

- i. Works, Mines, and Power Department Secretariat
- ii. Central Public Works Department
- iii. Estate Office
- iv. Central Waterways, Irrigation and Navigation Commission, and Consulting Engineer
- v. Electrical Commissioner
- vi. Indian School of Mines, Dhanbad
- vii. Explosives Department
- viii. Petroleum Division

2. Another communication will follow shortly regarding the other organisations required in the Pakistan area.

We have the honour to be, Sirs,

Your most obedient servants,

NASRULLAH KHAN
R. K. LAKSHMANAN

D. L. MAZUMDAR
A. G. KHAN
Secretaries
B. S. Puri
M. A. MOZAFFAR
S. NEELAKANTAM
M. I. KHAN
Members

Expert Committee No. I

Annexure III to Enclosure 7 to No. 153

F. 127/129-33

SCHEDULE

Various kinds and grades of staff required by the new Government of Pakistan to discharge the work that will arise in respect of subjects now allotted to the Department.

Modifications that may be necessary in the organisations of the existing Department consequent on the division of work.

I. WORKS, MINES, AND POWER DEPARTMENT SECRETARIAT

The following Secretariat Organisation is adequate for the Pakistan Government in the initial stages:

No modifications will be necessary in the organisation of the existing Works, Mines, and Power Department Secretariat.

Deputy Secretary	1
Branch Officers	2
Gazetted Superintendents	5
Assistants (including Librarian)	30
Clerks	30
Stenographers	2
<i>Daftries</i>	5
Peons	20

If, however, work justifies, a third post of Branch Officer may be created at a later stage.

II. CENTRAL PUBLIC WORKS DEPARTMENT

1. On the assumption that the requirements of the Pakistan Government will remain as at present, the following organisation will be required:

The Central P.W.D. cadre will be reduced by—

a. Superintending Engineer	1	i. Superintending Engineers	1
Personal Assistant to Superintending Engineer (Assistant Engineer's grade)	1	ii. Executive Engineers	6
Architect (Executive Engineer's grade)	1	iii. Sub-Divisional Officers or Assistant Engineers	23
Assistant Architects (Assistant Engineer's grade)	2	iv. Subordinates	92
Quantity Surveyor (Assistant Engineer's grade)	1	v. Drawing, estimating, clerical and inferior establishment as shown for a Circle Office, 6 Executive Engineers' Offices, and 23 Sub-Divisional Offices, (<i>vide</i> item 1 (b), (c) and (d) in the previous column)	
Financial Assistant (S.A.S. Accountant's grade)	1		
Executive Engineers	6		
Assistant Engineers or Sub-Divisional Officers	23		
Overseers, drawing and estimating staff	92		

Draftsmen with architectural experience for Architect	8
Estimators for the Quantity Surveyor	6
b. Superintending Engineer's Office	
Superintendent	1
Assistant Superintendent	1
Assistants	12
Clerks	15
Stenographer	1
Senior Draftsmen	2
Computer	1
L. R. Draftsman	1
<i>Daftries</i>	2
Peons	7
<i>Jamadar</i>	1
Cycle Peons	2
<i>Barakandas</i>	1
<i>Chowkidar</i>	1
Second grade Draftsmen	2
Ferro-printer	1
c. Staff for 6 Divisions	
Accountants	6
Head clerks	6
Senior Accounts Clerks and Cashiers	6
Accounts Clerks	24
Correspondence Clerks	48
Head Draftsmen	6
Draftsmen Computers	6
Tracer Draftsmen	12
<i>Daftries</i>	6
<i>Barakandas</i>	6
Peons	54
Cycle Peons	12
<i>Chowkidars</i>	6
d. Staff for 23 Sub-Divisional Offices	
Accounts Clerks	23
Correspondence Clerks	23
Draftsmen or Tracers	23
Peons	46
Cycle Peons	23
Audit Clerks	23
2. Staff for Construction Works	
a. Superintending Engineer	1
P.A. to S.E. (Assistant Engineer's grade)	1
Quantity Surveyor (Assistant Engineer's grade)	1

Financial Assistant (S.A.S. Accountant's grade)	1
Superintendent	1
Assistant Superintendent	1
Assistants	11
Clerks	13
Stenographer	1
Senior Draftsmen	2
[Draftsman] Computer	1
Lower grade Draftsman	1
<i>Daftries</i>	2
Peons	7
<i>Jamadar</i>	1
Cycle Peons	2
<i>Barakandas</i>	1
<i>Chowkidar</i>	1
Second grade Draftsmen	2
Ferro-printer	1
b. Executive Engineers	4
Accountants	4
Head Clerks	4
Senior Accounts Clerks and Cashiers	4
Accounts Clerks	16
Correspondence Clerks	32
Head Draftsmen	4
Draftsmen Computer	4
Tracer Draftsmen	8
<i>Daftries</i>	4
<i>Barakandas</i>	4
Peons	36
Cycle Peons	8
<i>Chowkidars</i>	4
c. Sub-Divisional Officers or	
Assistant Engineers	16
Subordinates	64
Accounts Clerks	16
Correspondence Clerks	16
Draftsmen or Tracers	16
Peons	32
Cycle Peons	16
Audit Clerks	16

The headquarters of the 2 Circles will be at Karachi, and the Superintending Engineers will deal direct with Government in the same way as the Superintending Engineer, Delhi Province, deals direct with the Chief Commissioner, Delhi.

III. ESTATE OFFICE

Estate Officer—One of the Superintending Engineers will also perform the duties of Estate Officer in addition to his own.

No modification will be required in the existing organisation of the Estate Office.

Assistant Estate Officers	2
S.A.S. Accountant	1
Divisional Accountants	3
Superintendents	2
Assistants	12
Accounts Clerks	15
Clerks	30
Machinists	2
<i>Daftries</i>	4
Peons	16

IV. CENTRAL WATERWAYS, IRRIGATION, AND NAVIGATION COMMISSION AND CONSULTING ENGINEER

There should be only one organisation as shown below for performing the functions of CWINC and those of the Consulting Engineer.

No modification will be necessary in the existing organisation.

Consulting Engineer	1
Assistant Consulting Engineers (1 Civil & 1 Electrical)	2
Project Officers (1 for East Bengal & 1 for Baluchistan)	2
Assistant Engineers	6 to 9
Superintendent	1
Stenographers	5
Assistants	6
Clerks	8
Head Draftsman	1
2nd Grade Draftsmen	2
Tracers	4
<i>Daftri</i>	1
<i>Jamadars</i>	2
Peons	8

V. ELECTRICAL COMMISSIONER

No modification will be necessary in the existing organisation.

Electrical Commissioner	1
Assistant Electrical Commissioners (1 Technical & 1 Commercial)	2
Technical Officers 'C' Grade (one each for work relating to Licensing, Technical and Planning, Planned Procurement and Erection, Statistics, Legislation, Miscellaneous)	6

Technical Assistants		18
Superintendent (Administration)		1
Stenographers		4
Steno-typists	including	8
Selection grade clerks	leave	2
Upper Division Clerks	reserve	7
Lower Division Clerks		14
Inferior		20

VI. INDIAN SCHOOL OF MINES, DHANBAD

It is not possible to divide the School. Proposals for the training of students coming from Pakistan area in this School will be sent later.

No modification will be necessary in the existing organisation.

VII. EXPLOSIVES DEPARTMENT

a. Headquarters		The following posts will be transferred from the cadre of the Chief Inspector of Explosives in India to the proposed Lahore Office in Pakistan area:	
Chief Inspector of Explosives	1	Assistant Inspector (Gazetted)	1
Head Clerk	1	Assistant	1
Assistant	1	Clerk	1
Clerk	1	Typist	1
Typist	1	Peon	1
Stenographer	1		
Dafti	1		
Peons	2		
b. Lahore Circle			
Inspector	1		
Assistant Inspector (Gazetted)	1		
Head Clerk	1		
Clerk	1		
Typist	1		
Dafti	1		
Peons	3		
c. Eastern Bengal Circle (with Sylhet)			
Inspector (Gazetted)	1		
Assistant	1		
Clerk Typist	1		
Dafti	1		
Peons	2		

The staff in the Explosives Department will also carry out the duties of the present Petroleum Division in the Works, Mines, and Power Department.

VIII. PETROLEUM DIVISION

No separate staff to deal with this work will be necessary. The establishment proposed for the Explosives Department under VII above will carry out this work.

Three posts of Assistants and one post of Clerk will be surrendered from the present establishment of the Petroleum Division.

153A

Mirza Ahmad Ispahani to M. A. Jinnah

F. 310/64

51 EZRA STREET, CALCUTTA,
14 July 1947

My dear Mr. Jinnah,

I thank you for your telegram¹ advising me that you would be remitting Rs. 50,000 today. I hope to send you a statement of accounts with the balance of the money as soon as I get details from Sylhet.

I am very pleased with the result of the Sylhet Referendum² and I trust better results are awaiting Pakistan in the Frontier.³

We have a very big hurdle on the question of the Boundary Commission. Our men here are not as competent or qualified as our opponents, but God will be with us.

In continuation of the note which I sent to you sometime back I have made another note⁴ after I have had a talk with those people who have returned from Delhi. These are my own views and I am quite willing to discuss them on these lines if there is any necessity for my doing so. I know that all these matters are in competent hands and with the obstruction that the other community is putting on every step we have to show them a fight with alternatives that could be more harmful and injurious to their economic structure than it could be to ours.

With kind regards,

Yours sincerely,
M. A. ISPAHANI

¹Not available in QAP. However, see Appendix II. 43.

²The polling was held from 5 to 7 July 1947 and the result was announced on 14 July 1947. See No. 139.

³The polling was held from 6 to 17 July 1947 and the result was announced on 20 July 1947. See No. 201.

⁴Enclosure.

*Enclosure to No. 153A**F. 310/65-65A*

1. QUOTAS AND CONTROLS THROUGH EXISTING TRADE CHANNELS

The Pakistan Gov[ernmen]t should devote themselves wholeheartedly to building their economic position so as to provide better conditions of life and living for their inhabitants. This cannot be done with the existing trade channels, because all these are non-Muslim, and if this is allowed to continue until the end of March 1948, the facilities and the protection that the Pakistan Gov[ernmen]t will give to the minorities will make them strongly entrench themselves in Pakistan with the advantages that they now possess of finance, experience and foreign connections. The Muslims will not be able to shake them off later, because if they try to do so after March 1948, there will be a hue and cry from India, which may lead to unnecessary diplomatic bickerings and retaliations. The Hindu press will make a world propaganda out of it.

Muslim nationals must be supported in the building [up] of Pakistan and whatever they do will remain in Pakistan, whereas the other community will earn in Pakistan and take their earnings out of it, and will be able to entrench themselves before Muslims in all types of commerce and industry.

2. RESERVE BANK

The present Reserve Bank should immediately open branches in Dacca and Chittagong. The Managers of the Reserve Bank's branches at Lahore, Karachi, as well as those that are to be opened before 15th August in Dacca and Chittagong should be, preferably Muslims. If this is not possible, they should be Britishers or Pakistani Hindu subjects. A condition should also be made that Reserve Bank takes a certain number of Muslims and trains them in their branches until March 1948. This will help us in running our separate Pakistan Bank from 1st April 1948, whose Head Office should be at Karachi.¹ This Bank will control Pakistan banking and currency as the present Reserve Bank is controlling Indian banking and currency.

Banking and currency should be separated from April 1948. Pakistan should have its own press to print notes and a mint as well. Until these are made ready, Pakistan should have her notes printed and coins minted in England or America. Many South American and European countries are following this procedure even today. We should have nothing to do with the Indian mint or press in relation to our currency.

3. STEEL

Pakistan should have its own Steel Board. Mr. Siddiqi, who is the Deputy Chief Controller, could be Secretary to this Board. It should be established mainly to give priorities for distribution of steel to Pakistan areas. If India wants to be Pakistan's regular supplier she should make the allotment for Pakistan and we should import from foreign countries what India cannot meet. There is no fear of our not getting steel from outside India even to meet Pakistan's entire requirements. On the question of steel supplies to Pakistan no concessions should be granted to Hindustan because we feel that even if they make certain allotments, the deliveries to Pakistan will be most irregular as Hindustan will be out to delay as much as she can, the establishment of our industries. We are well aware how steel is distributed at present; it goes to those Congressites who have the strongest pull with the Central Government.

4. COAL

Although there is only 7 days' fuel with the Pakistan Railways, the Hindustan Railways are in no better position. We have to import coal for the time being from South Africa. It is a sheer necessity. Just as much as South Africa needs jute, we require coal. Nobody will despise us for doing it if India stops our coal supply. Any trouble will not redound to Hindustan's credit. Negotiations should be completed in this connection. It is for India who is fighting South Africa to keep us on her side by giving us our coal requirements if she does not desire us to break the ban.

5. FOREIGN EXCHANGE

We must get our full share of foreign exchange from exports of Pakistan raw materials from 15th August. We must also get the full share of our import duties in proportion to our population in case an agreement has been arrived at to keep these two items together until the end of March 1948. Unless we have the foreign exchange we are completely sunk. We will never be able to negotiate loans for the development of Pakistan and purchase of capital goods which are so essential. A mission should be immediately sent to make arrangements with U.S.A. and England. The same mission could arrange for consumer goods like piecegoods and building materials. Eastern Pakistan, by taking away the reserves of 70,000 bales of piecegoods and about 10,000 to 15,000 bales of yarns, will be able to be independent of supplies for the next three or four months.

To give an idea of how matters can be fixed up abroad, I had a

telegram this morning offering 5,000 tons of Portland cement, shipment during August/September to Chittagong at the rate of 85 Singapore dollars per ton c.i.f. Chittagong. This shows that goods that we need are available and it is only a matter of negotiation to get them.

In short, in every matter we must separate and become quickly independent, otherwise, the *Bania* will again have a stranglehold on Pakistan economics as he has on that of India. Most wars have been fought on economic grounds and one of the main objects for attaining Pakistan is to make our people economically free. We therefore should preserve this freedom now that Providence in His Mercy has bestowed it on us.

In case India refuses to give us foreign exchange for our raw materials, then we have to make arrangements to control our jute, food, and cotton which could be considered on the basis of the enclosed note.

¹The Pakistan Monetary System and Reserve Bank (Amendment) Order, 1948, was issued on 1 April 1948.

Annexure to Enclosure to No. 153A

F. 310/66

NOTE

The economy of Eastern Pakistan can only be adjusted by financial control of crops. This means control of—

- a. Sale
- b. Final Proceeds

Whether normal channels shall be used for marketing the crop or some system of registered purchasing agents licenced by Government be introduced, is a detail which will fit into any broad plan, that gives effect to paragraph 1.

Apart from one branch of a British Bank all branches of Scheduled Banks in Eastern Pakistan are controlled from India.

Machinery for controlling banks' activities at a high level already exists in the Reserve Bank.

It is a relatively easy matter to introduce this high level control by setting up a branch of the Reserve Bank at Dacca or appropriating a section of the Reserve Bank in Calcutta, controlled by the Eastern Pakistan Government and to which all banks in Eastern Pakistan will report as at present.

The main source of revenue of the Eastern Pakistan Government is the jute crop all of which, we can say, is exported. Presumably there will

be some form of control and with a Reserve Bank at Dacca or section of Reserve Bank at Calcutta under the Eastern Pakistan Government, any system of control decided upon will be very much easier to introduce and maintain.

The prime need of Eastern Pakistan is that of convertible currency in exchange for exports. At the moment Sterling would appear to be the most satisfactory currency.

The crop can be sold for Sterling and against this backing notes overprinted at Nasik can be issued.

A section of the Reserve Bank in London or of the Bank of England could be arranged to handle our convertible Sterling.

It should not be overlooked that with the considerable storage capacity in Eastern Pakistan, overprinted currency could be issued against such stocks bought by Government and held pending disposal.

With the facilities as explained above, a large measure of control can be maintained over all banks in Eastern Pakistan, proceeds of crops can be controlled, and the disposal of these proceeds can be regulated through Exchange Control to [*sic* for of] imports vital for Pakistan.

It is a matter of urgency for the Government of Pakistan to issue its own currency as soon as possible, and it seems reasonable to suppose that very high priority could be obtained from printers in England by making special representations to the Bank of England.

It might be suggested that the trained personnel to maintain either the offices at Dacca, Calcutta or London is not readily available. Two or three key men with the ordinary staff of the Reserve Bank would be sufficient for Eastern Pakistan or Calcutta. London could be cared for by the Bank of England without difficulty.

These key men could be found in India, but for assistance in planning and the early stages of control, the Bank of England is there to help and is very willing to do so and we should not hesitate to call upon them forthwith.

154

Note by the Viceroy¹

F. 127/77

Undated [July 1947]²

I attach for consideration by the Partition Council³ a note prepared

by the Governor of the Punjab asking on behalf of the parties in the Punjab for the decision of the Partition Council on two issues about the partitioning of the Province.

2. I have asked Sir Cyril Radcliffe to see that the report of the Boundary Commission is presented before the 15th August, and he intends to do this. There will however be no time to implement the decision before the 15th August if there are major changes from the notional boundary.⁴

3. It seems to me that planning must proceed on the basis of the notional boundary, and that the East Punjab must therefore plan to set up its capital in its own territory as now defined.

4. On the second issue about the interim administration of the disputed districts, the Governor has proposed that the following action should be taken. It should be made quite clear that the two Dominion Governments are pledged to accept and enforce the Boundary Commission's Award. They should agree to appoint "a Boundary Administration" responsible to the Premiers of both Dominions to see that the final boundary is, if necessary, demarcated and that the Award is enforced. This organisation which should be in position early in August, might have to consist of army officers. It would have senior liaison officers with the Provincial Governments of the East and West Punjab, and junior liaison officers in the disputed districts. Pending the Award the organisation would keep a close watch on law and order matters, and report up to 15th August to me for the information of the Partition Council, and thereafter to the two Premiers any occurrences likely to cause concern to the minorities on either side of the notional line, and any preparations to resist the Award. On the Award being announced, the head of the organisation would be responsible for its enforcement with the co-operation of the Provincial Governments, and of the troops at the disposal of the Dominions.

[MOUNTBATTEN OF BURMA]

¹Also see No. 111, *TP*, XII, 162-3.

²The case was discussed in the Viceroy's Fifty-Ninth Staff Meeting held on 14 July 1947. See No. 108, *ibid.*, 157-8.

³The Viceroy, in the Partition Council meeting held on 17 July 1947, observed that he would visit Lahore and secure the agreement of the provincial Partition Committee on the disputed issues. See No. 148, *ibid.*, 209-10.

⁴See map at end of the volume.

Enclosure to No. 154
Note by the Governor of the Punjab¹

F. 127/78-9

13 July 1947

The Punjab Partition Committee note that while the India[n] Independence Bill² as introduced in Parliament provides that the Boundary between East and West Punjab shall be the boundary as determined on the report of the Boundary Commission, the Bill also provides that if the boundary has not been so determined by 15th August, the two new Provinces shall be established on the basis of what is commonly described as the "notional" boundary.

The representatives of West Punjab accept this position. They would like a special Committee representing the major Indian parties and His Majesty's Government to be appointed to carry out any adjustments necessitated by the Boundary Commission's award; otherwise they see no difficulty.

The representatives of East Punjab think the position most unsatisfactory. They contend that the Award of the Boundary Commission must be available by 7th August; and that if this is impossible the date of the transfer of power must be postponed. If neither of these expedients is possible they urge that both Governments be permitted to remain in Lahore until the Award has been given and implemented, and that "suitable arrangements" be made for the same period for the administration of the districts likely to be affected by the Award.

The following issues arise on which the representatives of West Punjab and the representatives of East Punjab have been unable to agree:

- (1) On the assumption that Partition proceedings are to continue on the basis of the "notional" boundary, should both Governments be located in Lahore until orders have been passed on the Boundary Commission's Report, or should the Government of East Punjab be established elsewhere?

The representatives of West Punjab feel that it would be embarrassing for both Governments to work in Lahore. They consider that the Government of East Punjab should (unless Lahore is allotted to East Punjab by the Boundary Commission before 15th August) move to one of the East Punjab districts. They have no objection to offices subordinate to the Government of East Punjab remaining temporarily in Lahore as a matter of administrative convenience; but they do not think that Ministers, Secretaries to Government, and the Heads of important Departments should remain in Lahore.

The representatives of East Punjab consider that if the Government of East Punjab leaves Lahore, there will be great inconvenience, should Lahore later be allotted to East Punjab by the Boundary Commission. They believe that it will be for the convenience of both Governments for the Government of East Punjab to remain in Lahore until orders have been passed on the Report of the Boundary Commission.

- (2) On the same assumption as in (1), what arrangements should be made for the administration of districts likely to be affected by the orders passed on the Report of the Boundary Commission? (These districts are in the Ambala Division—Hissar; in the Jullundur Division—Hoshiarpur, Jullundur, Ludhiana and Ferozepore; in the Lahore Division—Gurdaspur, Amritsar, Lahore, Sheikhpura, Sialkot and Gujranwala; and in the Multan Division—Multan, Montgomery³ and Lyallpur⁴).

The representatives of West Punjab take the view that no special arrangements should be made in these districts, which should be staffed and administered by the Governments responsible for them on the basis of the "notional" boundary.

The representatives of East Punjab consider that in these districts, staffs should be appointed by the two Governments in consultation, so that friction and disturbance may be avoided until orders have been passed on the report of the Boundary Commission.

2. Detailed statements of the views of the representatives of West Punjab and East Punjab are appended (Not attached, but [are] available with Steering Committee).⁵

3. The representatives of West Punjab and East Punjab are prepared to accept the decision of the party leaders as such or as members of the Central Partition Council.

E. M. JENKINS
Governor of the Punjab

¹Also see Appendix A to No. 89, TP. XII, 133-4.

²Enclosure 1 to No. 1.

³See *ibid.*, note 29.

⁴See *ibid.*, note 30.

⁵Not available in QAP.

155

A. A. Iqbal Qazilbash to M. A. Jinnah

F. 4/51-2

C/O THE EDITOR, SANSAR,
AGRA,
15 July 1947

Pakistan Zindabad

Respected Quaid-i-Azam,

I cannot find words to congratulate your honour on the achievement of Pakistan and you being the first Governor-General of Pakistan.

I hereby dare to place before your honour a few designs¹ for the [insignia of] future Armed Forces of Pakistan. I hope these will be encouraged [sic].

Quaid-i-Azam Zindabad, saviour of the Indian Muslims Zindabad, Pakistan Zindabad.

I beg to remain, Sir,
An humble soldier of Pakistan,
A. A. IQBAL QAZILBASH

¹See facsimile at end of the volume.

156

Viceroy to Secretary of State for India¹

Telegram, F. 2/224

No. 1979-S
SECRET/IMMEDIATE

NEW DELHI,
15 July 1947

Jinnah and Liaquat came to see me this morning to protest violently against a statement printed in today's *Statesman*² alleged to have been made by Henderson in the debate,³ in which he explained the terms of reference of the Boundary Commission. The particular statement they objected to was his explanation of other factors, which read as follows:

These special factors were being allowed to take account of the

circumstances of the Sikh community in the Punjab, so that the location of their religious shrines could be taken into account.

They considered that such a statement by the Under-Secretary of State just as the Boundary Commission is about to sit will give the Sikhs an opportunity to introduce a specific meaning to other factors⁴ which the Partition Council was careful to refrain from giving.

I told Jinnah that I would send a copy of this protest to Radcliffe⁵ so that he may know that they do not accept Henderson's views. I am therefore sending a copy of this telegram to Radcliffe and also to Jinnah.

¹Also see No. 121, TP, XII, 179.

²Annex I.

³See No. 191.

⁴The phrase "other factors" occurring in the terms of reference of the Boundary Commissions was interpreted variously by political parties and led to a great deal of confusion. See Annex II.

⁵Chairman, Punjab and Bengal Boundary Commissions, 1947.

Annex I to No. 156

IOR, R/3/1/157

AMENDMENT TO CLAUSE 3¹

Mr. Henderson then moved an amendment to Clause 3[of the Indian Independence Bill] replacing the words "Awards of Boundary Commissions" by "the Award of a Boundary Commission".

The amendment was to correct a drafting error and to make it clear that the report of the Chairman of the Commission should have the force of an award.

Mr. Butler² welcomed the amendment as an improvement. They were now certain that when the Commission made an award it would in fact become final, he declared.

The amendment was agreed to without a division.

Speaking on Clause 3 as a whole, Mr. Butler said this was a very important clause which referred for the first time in detail to the partition of Bengal.

TERMS OF REFERENCE

At first sight, he said, it was repugnant to divide a great province. He wished that the Boundary Commission would do its work with the utmost success and despatch. He hoped that the Government could say how broadly it was meant to interpret the terms of reference.

He was not taking sides, he said. He did not want one side to be stronger than the other, but he was anxious that it should be able to pave its way and have a happy future. Was there an opportunity so to allocate the boundary that some of the sources of wealth might be in Pakistan?

He asked if any proposal had been put forward for an international or "impartial" port arrangement for Calcutta, so that Calcutta could offer facilities in all circumstances to the eastern trade of Bengal, and that the raw jute might be sure of its processing in the west, in the mills on the outskirts of Calcutta.

BOUNDARIES WILL BE DIFFERENT

Mr. Butler added that he knew Mr. Henderson might not be able to give an immediate reply on this matter.

Sir John Anderson (Cons.), former Governor of Bengal, said:

"It is not a question today of merely reversing any process through which Bengal has gone in the past. The boundaries are going to be essentially different from any provincial boundaries hitherto recognized. The portion of Pakistan which will comprise the new Eastern Bengal will be smaller in area than the old province of Eastern Bengal, but will have a larger population".

"The increase in population has been very considerable. That taken into account with the lack of heavy industries, constitutes a very serious economic problem. A large part of the population of those areas is definitely on the margin of subsistence."

NO READY ACCESS

In the territory of Bengal today, there were two great river systems dependent on the Ganges and the Brahmaputra, neither river gave ready access to Chittagong which was served by a comparatively small river, navigable only for a very short distance. The river system of Bengal was connected with a network [*sic*] of minor waterways, all giving access to the port of Calcutta. Chittagong was served by a narrow gauge railway not capable of carrying very much traffic.

Any economic development on a considerable scale, of the eastern portion of Pakistan must take a very long time.

"I am not taking sides," Sir John said, "but I hope that, in the financial and economic adjustments that are made, special consideration will be given to the backward countries [*sic*] of the portion of Bengal which will go into Pakistan, and to the need for development."

COMMISSION'S WORK TO START SOON

In reply to a question by Mr. Molson,³ Mr. Henderson said that the

personnel of the Boundary Commission had been appointed and the terms of reference had been accepted and would shortly be in operation.

Mr. Molson commented: "We can only hope they will have the wisdom of Solomon".

Col. Duncan⁴ said that, when the two provinces of East and West Bengal were demarcated, there ought to be provision for certain facilities which had existed in the past. One of these was free passage and communication between the Kingdom of Nepal and India as they had known it.

ECONOMIC PROBLEMS

Mr. Henderson replying to the discussion said he agreed wholeheartedly with Sir John Anderson on the very difficult economic problems that would face both new provinces in Bengal.

It was fair, he said, to remind the House of the views expressed in the report of the Cabinet Mission⁵ last year when they said there was great doubt as to whether these partitioned areas of India would be viable. The existence of those problems today and for the future were well-known to those who had accepted responsibility—the national leaders in India as well as the provincial leaders and the representatives of the communities who had expressed themselves in favour of the partition of those two provinces.

"We can only express the hope and belief," Mr. Henderson said, "that they will realize what is essential in the interests of both populations, Muslim and Hindu, the two Bengals and the two Punjabs, as to the need for co-operation if they are going to be able to emerge successfully from these difficulties".

TERMS OF REFERENCE OF COMMISSIONS

Mr. Henderson said he admitted at once that the terms of reference of the Boundary Commissions were not very precise, and from that point of view, perhaps, not so satisfactory as they might be. But they had the merit of being based on the agreement of the Indian leaders of the major parties.

The function of the Commission was to demarcate boundaries between two parts on the basis of the ascertained contiguous majority areas of Muslims and non-Muslims. The Commission would take account of other factors.

That surely must mean that the primary basis was to be whether the majority was Muslim or non-Muslim, but in certain cases there might be special factors which would justify departure from this principle.

These special factors were being allowed to take account of the

circumstances of the Sikh community in the Punjab, so that the location of their religious shrines could be taken into account.—*Reuters*.

¹*The Statesman*, 15 July 1947.

²Richard Austen Butler, Minister of Labour, May–July 1945; Member, British Parliament, 1947.

³Arthur Hugh Molson, Member, British Parliament, 1947.

⁴A. G. Duncan, Member, British Parliament, 1947.

⁵Appendix III, Vol. I, Part II, 32–42.

Annex II to No. 156

"OTHER FACTORS" IN THE PUNJAB: PARTIES' ANXIETIES—MUSLIM LEAGUE ANNOYED¹

LAHORE, July 6: In addition to numbers and contiguity, the Boundary Commission will take into account "other factors". What do "other factors" mean? Both parties to the dispute are worried over the undefined phrase. A plethora of explanatory writing which has grown up around it only adds to the confusion.

While no one seems to know exactly what it conveys, the Viceroy, at his press conference, explained what it did not mean. Property, he said, was not one of the "other factors". It could not be the basis of political rights—not at least under a Socialist British Government.

Despite this clarification, the case for Hindus and Sikhs for drawing the boundary line along the Chenab is based largely on the rights of property and will be stressed in that form before the Commission. Imposing facts and figures are being collected in its support.

League lawyers hold that before an opportunity arises to produce the mass of material collected, it will have to be decided whether it is at all admissible. And there will be a battle royal on that point.

HINDU-SIKH CASE

In the armoury of Hindus and Sikhs there is a large number of "other factors". In fact, it would seem, they depend mainly on "other factors" rather than on the main point of contiguity and numbers. Here are some:

1. Divide the Punjab, they say, in proportion to the numerical strength of Muslims and non-Muslims. The Muslims are 57 per cent of the total. The area assigned to them should be 57 per cent of the whole. Why should they get a square inch more? Yet, according to the present notional division, they have more than 64 per cent.

2. The unity of Sikhs should be maintained, for is it not a fact that the division has been agreed to in their interests? They should therefore get most of Lahore Division and a canal colony.
3. Hindus and Sikhs will argue that they are the architects of all progress between the Ravi and the Chenab. They have principally promoted its prosperity, education, industry, and even agriculture. "Let us, therefore, retain this area".

There will be many "other factors". But these are the main.

LEAGUE ANNOYANCE

The League vehemently denies the validity of these points, holding that contiguity of majority population is the only factor which should determine the boundary. "Other factors" will come in when this one fails to yield results, but they can never override the main principle.

The League ridicules the non-Muslim claim to territories on the basis of religious sentiments and economic possessions.

"The Sikhs say they have enriched Lyallpur. But we have given shape and meaning to every corner of India. May we not with more reason claim the whole of India than yield a part to the Sikhs?" asks Mian Mumtaz Daultana.²

Muslims resent being confined to the barest limits of undeniable majority areas and then pushed back beyond these areas "on spiritual and metaphysical considerations".

¹The Statesman, 7 July 1947.

²General Secretary, Punjab Muslim League.

157

Z. A. Suleri to M. A. Jinnah

F. 773/57-8

3 GROSVENOR GARDENS,
LONDON, S.W.1.,
15 July 1947

Pakistan Mubarak

Beloved Quaid-i-Azam,

It is after considerable deliberation that I have decided to encroach on your precious time for a moment or two.

You will no doubt remember, Sir, that in May 1945 I came down to see you in Bombay to confide in you my wish to go to England. You gave me your words of encouragement and said that it would be a great experience for me; and although I came to this country unsupported, your words kept my spirit high even in my bleak hours. Today I wish to report to you, my beloved leader, that my stay here has been fruitful.

I had always thought that unless we Muslims learned to size up our position in terms of the wide world around us, we could never truly know the measure of effort our destiny demands of us; but it is only during these last twenty months here when I have observed, at a score or so international gatherings in London, Paris, and elsewhere and have tried to probe into the complexities of the world situation born of the tremendous conflict that faces the West, that I have become keenly conscious of the necessity of our people becoming aware of the dangers that surround them. Unless and until we know the drift of the powerful currents that are sweeping across the international seas and changing the destinies of the people, we can neither resist the ones which are harmful to our existence, nor ride the ones which can take us far.

To meet that end, I propose to write a book on world affairs from the point of view of a Pakistani; and since I am ambitious to make this work of some national importance, I feel I can do justice to it only if I enlist your support. Soon our ambassadors and envoys will be going abroad; our representatives will be sitting in the United Nations Assembly. I am particularly interested in the United Nations, and if you could fit me in this picture in one capacity or another, I should be enabled to pursue my work satisfactorily.

Since this would appear a personal request I have been hesitant in putting it before anyone else; but with you there can be no misunderstanding. It is hardly necessary to add that I will do exactly what you bid me to do: every ounce of my energy is at the disposal of my nation.

Awaiting instructions,

Your affectionate and obedient servant,

Z. A. SULERI

Correspondent of Dawn in London

158

*Secretary of State to Viceroy**Telegram, F. 4/42*

MOST IMMEDIATE/SECRET

No. 88/2314-S

LONDON,

15 July 1947

Private for Viceroy from Ismay.

Bridges,¹ Carter² and Rowlands³ and I have discussed Jinnah's invitation to Rowlands to be his Chief Adviser. Following conclusions emerged:

a. Rowlands cannot be spared from Civil Service here for more than two or three months at the most.

b. Bridges, Carter and I think nevertheless that even in that limited period he would be of greatest value to Pakistan in planning organisation of their administrative machine and in advising them as to any British personnel which Jinnah may desire to fill some of key posts. Unless Jinnah has some one at his side like Rowlands who is known and trusted by Muslims and who has a profound knowledge not only of India but of organization of Government of Pakistan may start off on completely the wrong foot and drift into chaos.

c. Rowlands' position is that he will do anything that is thought best by British Government.

2. Ministers have not yet been consulted and may not agree to spare Rowlands even for this short period but we thought first step should be for Your Excellency to put proposition to Jinnah and ask whether he would wish to have Rowlands' services on these terms, i.e. for 2 to 3 months from August 15th. If his reply is "Yes" the orders of Prime Minister and of Minister of Supply could then be taken.

¹Edward Bridges, Permanent Secretary to the Treasury.

²Archibald Carter, Permanent Under-Secretary of State for India.

³Jinnah was keen to borrow the services of Archibald Rowlands, Permanent Secretary, Ministry of Supply, from HMG for six months since Pakistan was starting from scratch and needed an experienced adviser like Rowlands who had been Finance Member of the Viceroy's Executive Council, 1945-46. See No. 140, TP, XII, 198-9. Also see Appendix IX, 7, para 6, Vol. II, 927.

159

*Alisher Chishty to M. A. Jinnah**F. 861/104-6*

DHARMSALA, [KANGRA DISTRICT],

15 July 1947

His Exalted Highness M. A. Jinnah Esqr.,
Governor-General designate, Pakistan

The present [*sic*] dearest to all, attainer of Pakistan and light and guide for the wordly [*sic*] Muslims, our Quaid-i-Azam, *Assalaamo 'Alaikum*.

As promised in my letter dated 1-4-1947¹ I am remitting herewith the meagre and trifling sum of Rs. 100 only *vide* C Note No. A/2/898703 attached herewith.²

This is the collection from my postal colleagues stationed at Dharmsala (Dist[ric]t Kangra). We have sent it to you as a love gift towards Pakistan Fund, and hope that on resuming our duties in Pakistan we will do our level best to collect more money and remit the same to you. I am aware of the fact that this remittance was to be sent through the Habib Bank; but previous bitter experience when I remitted Rs. 200 only to your worthy self, which reached you after some two months, has precluded me to act up to [*sic*] the present procedure which remunerates us extensively in the form of an acknowledgement signed by your angelic personality [*sic*]. The acknowledgement is kept to be shown to all who are fond of you and the acknowledgement thus serves the purpose of a memorial [*sic*].

2. Kindly permit me to bring to your kind notice the following few facts which need your personal consideration and necessary action immediately to avoid loss or disadvantages to Pakistan, and they run as follows:

The heads of different departments especially the P & T [Posts and Telegraphs] Department (concerning us) has called for declarations from all officials (temporary or permanent) as to whether they want to serve in Pakistan or rest of India provisionally or finally.³ The word Pakistan apparently means and includes the lands of Sind, Baluchistan, Bengal, Punjab and N.W.F. Province. Some people were misled by the Congressites and they, through misunderstanding, accepted to serve in Pakistan provisionally but now we have come to know that the persons of a province situated in a sister community area will not be transferred or detailed at distant places in other provinces. We have, therefore, arrived at the wrong conclusion that

the Pakistan Government will perhaps return them back [sic] to Hindustan area after six months or won't call them at all. This will surely jeopardise their interests. I, therefore, on behalf of Muslims of Kangra Postal Division most respectfully request your honour to take immediate steps for the acceptance of all the declarations (provisional or final) and make an announcement for the satisfaction of all *in toto* that whoever comes to Pakistan will have his rights safeguarded and [a] post will be given to him according to the terms and conditions of service in force. Although it is our foremost duty to execute implicitly the orders we receive; but in case the posting of the employees is done according to their wishes, it will prove advantageous and satisfactory to the interests of the employer and the employee both and the work of Government machinery, with the grace of Almighty Providence will be run to the mark. To be more clear all the employees may kindly be got ordered [sic] to be posted to stations of their choice. We are impatiently waiting our departure orders from the present land of infidels, "Hindustan".

3. I admit your stupendous engagements in many cases do not permit even the rulers to encroach upon your valuable time; but I do seek the concession in the capacity of a poor Muslim suffering from the vicious inflictions imposed upon (without any background of any canon of law, justice or equity) [sic].

Pakistan is coming to [sic] existence in consequence of the cries, shrieks and bereavement—above all toleration and forbearance, which had so far been losing themselves in the bewilderment [sic]. The Muslim employees of the P & T Department since 1932, had started a separate Union of their own, known as I.P. & T. Union; but in provinces of Hindu majority they could not do that and had to pass on their time in joining the joint or common Union known as the P & T and R.M.S. [Railway Mail Service] Union. The Muslim employees have been contributing to this joint or common Union like others and had opened in the Post Office Savings Bank Public Accounts to maintain the financial existence of the Union and to cope with unexpected expenses which occasionally arise [sic]. In the postal strikes of the last year, funds were collected from all the employees irrespective of caste, colour, or creed for their betterment and amelioration in service. In our Postal (Kangra) Division I am working as Secretary and am still holding the honorary post. In the Savings Bank [Account] we have got a sum of three hundred rupees (Rs. 300) but non-Muslim members of the Union now are not prepared to give us our share. Like this Postal Division the Muslims in many other Postal Divisions will also have to face this difficulty—monetary loss. It is, therefore, up to you and Sardar Abdur

Rab Nishtar to cause issue [sic] of a general letter for the partition or division of the fund in question. I am sending this letter to you, our greatest saviour of Islam, in duplicate⁴ with the sanguine hope that you will kindly forward one copy to Sardar Sahib for action as may be deemed fit.

With prayers from all for your very long and happy life, prosperity, and sound health. We beg to offer our heartiest congratulations gushing [sic] from the core of our hearts on your accession to the throne of Governor-Generalship [sic].

Yours ever fondly and fraternally,
ALISHER CHISHTY
Clerk, Office of Sup[erintenden]t of Posts,
Kangra Division

^{1 & 2}Not available in QAP.

³See No. 189, Vol. II, 396-8.

⁴F. 861/107-9, QAP.

160

A. Motamedy to M. A. Jinnah

F. 479/9

CONSULATE-GENERAL OF IRAN,
4 ALBUQUERQUE ROAD, NEW DELHI,
15 July 1947

My dear Quaid-i-Azam,

Your appointment as Governor-General of Pakistan affords me another happy occasion to convey to Your Excellency personally and on behalf of my Government my sincerest and most cordial felicitations.

Wishing you all success. I am sure that under your able guidance, the close ties of friendship and co-operation between Pakistan and Iran, the two brotherly nations, will grow stronger and stronger in the years to come.

Yours very sincerely,
A. MOTAMEDY

161

M. A. Jinnah to A. Motamedy

F. 479/8

15 July 1947

Dear Mr. Motamedy,

Many thanks for your letter¹ of good wishes and greetings on behalf of your government and yourself on my acceptance of the Governor-Generalship of Pakistan.

Please convey my sincere thanks to your Government and I entirely reciprocate that our ties of friendship and co-operation between Pakistan and Iran will grow stronger and stronger as two brotherly nations in the future.

Yours sincerely,
M. A. JINNAH

A. Motamedy, Esq.,
Consulate-General of Iran,
4, Albuquerque Road,
New Delhi

¹No. 160.

162

Nizam of Hyderabad to M. A. Jinnah

F. 641/4

CONFIDENTIAL

HYDERABAD, DECCAN,
15 July 1947

My dear Mr. Jinnah,

Monckton gave me the gist of his talk¹ with you re[garding] Hyderabad affairs. Please accept my sincere thanks for your friendly sentiments and promise of support in time of need. He is coming again to Delhi next week with my delegation. I shall decide my affairs with your concurrence and knowledge.

2. My warm congratulations to you on becoming the Governor-General of Pakisthan [sic] Government and every success in future.

Yours sincerely,
MIR OSMAN ALI KHAN

¹Monckton met Jinnah at New Delhi on 13 July. He and other members of Hyderabad's delegation also discussed with Mountbatten future relations between Hyderabad and Hindustan. See Annexure I to Enclosure to No. 178. Also see Appendix VII. 17, note 4.

163

Firoz Khan Noon to M. A. Jinnah

F. 399/188-9

LAHORE,
15 July 1947

Dear Mr. Jinnah,

This morning I was up very early and contacted Zafrullah who arrived last night and then contacted Mamdot by going over to his house and we have arranged the Indian Christians¹ and Scheduled Castes² memoranda to be put in.

This morning I attend[ed] Radcliffe's meeting³ and I enclose what I noted down.

Tomorrow Zafrullah will sit down with such lawyers as he likes, out of the 11 Mamdot and I have selected for him, and with the assistance of all those who have written notes, draft our Memorandum⁴ for the Commission.

I got some silly telegrams from Ferozepore saying that I had thrown away that dist[ri]ct by my statement [sic]. I enclose a copy of that statement⁵ in case some may have been sent to you. You will see that I have claimed areas on both sides of the Sutlej which includes Ferozepore Town and Tehsil as well as Ludhiana and other areas. I have sidelined the passage.

Yours sincerely,
FIROZ NOON

¹The Memoranda of All-India Christian League, Punjab Branch, Joint Christian Board, Punjab, and Punjab Nationalist Christian Association are not available in QAP. See *The Partition of the Punjab 1947*, I, compiled by the National Documentation Centre, Lahore, 1983, 475-6.

²Various Scheduled Caste Organisations had demanded that a referendum be held to ascertain the views of the Untouchables or, if a referendum was not feasible, that their rights and interests be taken into consideration while demarcating boundaries with reference to "other

factors". They also requested an opportunity to present their case before the Boundary Commission. Ibid., 144-9.

³See *The Partition of the Punjab* 1947, I, No. 143, 1983, 172-4.

⁴Ibid., No. 227, 281-96.

⁵Not available in QAP. However, see Annex.

Enclosure to No. 163

F. 399/190-1

15 July 1947

10.30 a.m.

RADCLIFFE PRESIDING

Commission Members, Lawyers, and Parties present

Decisions:

1. Submit memoranda by July 18th
2. No oral evidence to be admitted unless India[n] members agree to call an expert.
3. Hearing of Counsel to begin on 21st July. Zafrullah conceded his opponent's request to be allowed to begin.
Setalvad¹ 4½ days
Zafrullah 4½ days
Reply [by] Setalvad 1 day
Indian X[Christ]ians and Scheduled Castes will be give[n] time out of our 4 days. He (Radcliffe) was not inclined to give time to Bahawalpur for their case because Hindu lawyers objected and said that other interested States, e.g. Kashmir and Mandi will want time also.
4. Parties to exchange copies of their memoranda and maps
5. Radcliffe promises to read everything back in Delhi where copies of proceedings of both the Commissions will be forwarded to him daily.
6. How far are the Viceroy's Press Conference or [Arthur] Henderson's³ broadcast⁴ binding on the Commission. He said these are not binding at all. The Commission[s] can do what they like.
7. All information needed by the parties will be supplied by Gov[ernmen]t.

[FIROZ NOON]

PS. He proposes to fly over certain parts and Munir and Teja Singh may fly with him.

¹M.C. Setalvad, Chief Counsel for Congress before the Punjab Boundary Commission, July 1947.

²Viceroy's Press Conference was held in New Delhi on 4 June 1947. Its main points were:

(i) future of India to be determined in accordance with the wishes of the people and a mechanism to be devised for the purpose; (ii) Punjab to be divided between Muslims and non-Muslims; (iii) Armed Forces to be utilized to ensure peaceful transfer of power; (iv) Government of India Act, 1935, to serve temporarily as constitution till each Dominion framed a new one; and (v) each Dominion could opt out of the Commonwealth whenever it chose. See *The Partition of the Punjab*, I, No. 4, 1983, 11-6.

³Parliamentary Under-Secretary of State for India and Burma.

⁴Not available in QAP. However, see Annex I to No. 156.

Annex to No. 163

NOON ASKS MUSLIMS NOT TO SLEEP WHILE THEIR OPPONENTS ARE BUSY¹

Asking the Muslims to be up and doing and not to sleep while their opponents are busy, Malik Firoz Khan Noon, in a statement to the press, says: "Our claim is all the area up to the River Sutlej and on both sides of it. It is our natural boundary. Unless this river is our boundary, there will not be peace between Pakistan and Hindustan and the more the Congress resists our just claims, the deeper they lay the foundation of our antagonism".

Malik Firoz Khan Noon says:

The Punjab Boundary Commission has a difficult task before it. Whatever its decision, either the Muslims or the non-Muslims are sure to be disappointed. The Sikhs in this case are being used only as pawns in the Congress game and leaders seem to have thrown to the winds even all pretences of "Panthic interests."

Our claim is all the area up to the River Sutlej and on both sides of it. It is our natural boundary. It is the river, where Alexander having no stomach left for further fight, built some pillars and marched back to rest in Babylon. Unless this river is our boundary, there will not be peace between Pakistan and Hindustan and the more the Congress resist our just claims, the deeper they lay the foundation of our antagonism.

Now that the position is clear, we know that Amritsar and Tarn Taran Tehsils are two tehsils with a non-Muslim majority. But these are an island surrounded by a contiguous Muslim area which links up Gurdaspur District in the north with Dasuya, Jullundur, Nakodar, Zira, and Ferozepore tehsils, and Montgomery.²

We have a similar island in the East Punjab in Ferozepore, Jhirka, and Nuh Tehsils, where Muslims are [*in*] an overwhelming majority over non-Muslims. It is as absurd on the part of non-Muslims to

claim the Amritsar "island" as it is on our part to claim Gurgaon District. Pathankot Tehsil, I understand, is also a Muslim majority area, if you reduce the population of the hill area which must revert to Chamba State.

GREAT INJUSTICE DONE

A great injustice has been done to the Muslims by not having a referendum on adult franchise in these disputed areas. Why are referenda being held only in our predominantly Muslim areas and not in non-Muslim areas. The Congress Party seem to receive all the backing. Why have the Scheduled Castes and Indian Christians not been given the chance to say whether they wish to live in the East or West Punjab. Even if the Jullundur District is not given to us now we must later lay our claim in the UNO. We know that the Scheduled Castes include "Adharmis", who given the chance, will want to live in Pakistan.

In Hoshiarpur District, Muslims and Scheduled Castes and "Adharmis" are 550,812 and the Sikhs and Hindus only 413,837 and again in the Jullundur District Muslims and Scheduled Castes and "Adharmis" are 634,235 and the Hindus and Sikhs only 455,320. We may have agreed to the appointment of a Boundary Commission, but we never agreed to the perpetration of injustices against Muslims. The Congress and the Sikhs and the powers that be, do not give a choice to the Depressed Classes because they know they cannot retain them.

The leaders of the Sikh community have as usual put forward claims to territories on the basis of ownership of land and taxes paid. May I request them in all seriousness to pause for a minute and think. They have advanced claims already and are now asking the Government to provide them with facts and figures.

Those who have a modicum of knowledge of revenue law, know that all the land in the Punjab belongs to the State and that revenue is charged and not a land tax, and that revenue is always assessed as 50 per cent of the net income of the land. Be it also remembered that revenue is paid half by the landowner and half by the tenant and the vast majority of tenants are Muslims, even on lands owned by Hindus and Sikhs. Similarly, water rates are paid half and half. There are cases, e.g. in Lyallpur,³ where the landowner makes the tenants pay all the land revenue and all the water rates and even then takes half of the crop.

When the Sikhs realize the truth they will have the surprise of

their lives. Similarly in towns although non-Muslims may own buildings, the tenants are Muslims on whom falls the burden of municipal taxation in fact, though not in theory. The number of landowners is also a deceptive criterion because non-Muslims are often owners by purchase and therefore, are shown as owners in several villages, whereas Muslims who are owners by inheritance are shown in one village only. Again, village common land will be shown as non-Muslim area, whereas Muslims own it in partnership with others and perhaps own a majority of these areas.

RATION CARDS MISLEADING

Recently a great point has been made in the papers that the ration cards in Lahore have been issued more in the name of non-Muslims than in the name of Muslims, implying that the census figures are wrong. Recently a high Government officer, a non-Muslim from Montgomery, informed me that although Montgomery town had a population of 40,000 ration cards had been issued to 120,000 people, which means that false claims to rations are put forward. Even now further applications are being received in large numbers for ration cards. It needs a bold personality to lay claims on the basis of figures, which are swelled by the cheating propensity of human beings.

NO THREATS

It is extremely desirable that no threats should be offered from any side and the Commission allowed to work in a calm atmosphere. But in view of the false propaganda, which the opposite party are now carrying on in the press, grave injustice might be done to East Punjab Muslims unless they take steps to counteract this propaganda. Nobody succumbs to agitation—let us say public opinion—than the British [*sic*], and the Muslims seem to be asleep while their opponents are busy. Do not always hope that somebody else will take your chestnuts out of the fire. Be up and doing something for yourself also. A planned flight of capital and consumer goods from the Punjab is taking place. The former we do not mind, because Muslim money from all over India must come into Pakistan area before August 15. It will be safer and better protected here than in other places, and I hope that Muslim capitalists will take early steps to bring their money here. There are Muslim banks. In Lahore Habib Bank is one of them. It is the duty of Section 93 Administration, to stop the flight of foodstuffs and consumer goods from West Punjab.—API.

¹The *Pakistan Times*, 13 July 1947.

²See Enclosure 1 to No. 1, note 29.

³See *ibid.*, note 30.

164

M. A. Jinnah to M. N. Kotwal

Telegram, F. 910/347

16 July 1947

Kotwal Co., Jehangir Kothari Building, Bunder Road, Karachi

Wire whether court sanctioned. Whether sale deed¹ complete [and] ready for execution. On hearing from you will arrange remit balance purchase price.

JINNAH

¹Refers to property Survey No. 1 in Frere Town Quarter, Karachi. See No. 82.

165

Renato de Sa' to M. A. Jinnah

F. 1108/113-4

RUA DE S. TOME', GOA,

16 July 1947

Most Respected Sir,

It is with the utmost respect that I take the liberty to express to you my respectful homages for the glory Your Excellency achieved in getting your dream realised, the Pakistan which has immortalised your name.

It was beyond all expectations, even of the most powerful brains, that you could accomplish such a glorious task in so short a period.

I beg to express my profound admiration, on behalf of the new generation of my country (Goa, Portuguese India), who have been closely following the political vicissitudes of neighbouring India.

As a token of this profound admiration of mine, I beg to send herewith a copy of my book, *Winston Churchill, the Man and his Achievements*, prefaced by Lt. Col. Claude Bremner.¹

This book of mine which was highly appreciated by [such] prominent personalities as Lord Halifax,² Sir Stafford Cripps,³ Sir Leopold Amery,⁴ Sir Ronald Campbell,⁵ President Salazar,⁶ and many others, I

must confess, Sir, has got nothing to do with the political views of Mr. Churchill concerning India, but is simply a critical study on [sic] a man of multifaceted personality who has been a journalist, war correspondent, painter, a political orator, and a great Premier who was one of the greatest victory leaders of the last War.

I suppose, Sir, that shortly, among many things, Pakistan will have her own newspaper—on modern lines—which will be essential to expand [sic] their ideas.

I shall be ever ready to place my services at your Excellency's disposal in all that concerns the revival of the great ancient Islamic culture, which created [such] men as the poet Muhammad Iqbal⁷ and the thinker Syed Ahmad Khan⁸ and a host of others, as a writer, a journalist and a correspondent of Portuguese India.

Once more expressing my sincere admiration,

I remain,
Respected Sir,
Yours most obediently,
RENATO DE SA'

¹Joined the Foreign and Political Dept., Government of India, 1919; served in Baluchistan, NWFP, Indian States, and Portuguese India.

²Lord Irwin, Viceroy of India (1926-31); Foreign Secretary (1938-40); Ambassador in Washington (1941-46).

³Minister of Aircraft Production, British Cabinet (1942-45); carried constitutional proposals (Cripps offer) to India in March 1942; Member, Cabinet Mission to India (1946); President, Board of Trade (1947).

⁴Secretary of State for India and Burma (1940-45).

⁵Assistant Under-Secretary of State for Foreign Affairs (1945-46); Ambassador to Egypt (1946-50).

⁶Prime Minister of Portugal (1932); Minister for Foreign Affairs (1936-47).

⁷Celebrated poet-philosopher; attended the second and third Round Table Conferences in 1931 and 1932; presided over the 21st session of AIML held at Allahabad on 29-30 December 1930.

⁸Reformer and educationist; founded Mohammadan Anglo-Oriental College at Aligarh in 1877 which was raised to the status of University in 1920.

166

M. A. Jinnah to Nawab of Amb

F. 35/1

16 July 1947

My dear Nawab Sahib,

I have received your letter of 16th June,¹ and I could not reply, as I

was so uncertain about my programme, and now as you see I have not been able to go to N.W.F.P. and instead appointed a very influential committee consisting of Mr. Chundrigar, Mr. Ghazanfar Ali Khan, Pir Sahib of Manki Sharif and Syed Wajid Ali, and they were to keep constantly in touch with me.² I am glad that the referendum has gone well with us. We hope that we will win by an overwhelming majority, but nevertheless let me sincerely thank you for your hospitality of which I would have availed myself with pleasure had I gone to Frontier.

With reference to your letter of 11th July,³ I shall be glad to see your representative after I reach Karachi and the Pakistan Government comes into being, as it would on the 15th of August.

Thanking you for your good wishes and your concern about my well-being,

Yours sincerely,
M. A. JINNAH

H.H. Nawab of Amb State,
Shergarh, P. O. Oghi,
Hazara Dist. (N.W.F.P.)

¹No. 124, Vol. II, 289-91.

²Jinnah appointed the Committee on 17 June 1947 to make necessary arrangements for the referendum in NWFP. See Appendix V, 14, Vol. II, 871.

³No. 101.

167

Ghulam Hussain Hidayatullah to M. A. Jinnah

F. 286/48

SIND SECRETARIAT, KARACHI,
16 July 1947

My dear Quaid-i-Azam,

The Jam Sahib of Lasbela and the Nawab Sahib of Kharan had been to me. They told me that they are prepared to join the Pakistan Constituent Assembly, and they wish to have an interview with you in that connection. They have also wired to you to this effect.

Kindly let me know what I should tell them as urgently as you can.
With kind regards.

Yours sincerely,
GHULAM HUSSAIN

168

*Louis Mountbatten to M. A. Jinnah**F. 2/246*

[No.] 1142/5

THE VICEROY'S HOUSE,
NEW DELHI,
16 July 1947

Dear Mr. Jinnah,

H.M.G. have informed me that they have decided that a separate High Commissioner for the United Kingdom should be appointed to Pakistan as from 15 August and Sir Laurence Grafftey-Smith, lately H. M. Minister in Jeddah, has been selected as the first incumbent. It is intended that Sir Terence Shone should remain as High Commissioner in India after partition.

I hope you will be able to inform me that the appointment of Sir Laurence Grafftey-Smith is acceptable to you. H.M.G. are anxious to make a very early press announcement.

Yours sincerely,
MOUNTBATTEN OF BURMA

*Enclosure to No. 168**F. 4/43*

SIR LAURENCE GRAFFTEY-SMITH

Born 1892. Joined H. M. Service 1919.

Posted to Cairo. Transferred to Constantinople, 1924, and returned to Cairo as Assistant Oriental Secretary, 1925-35. Served in Baghdad [up] to 1939 when he was appointed Consul-General at Durazzo.

Returned to the Embassy at Cairo with the rank of Counsellor, 1940. Transferred to Madagascar, 1942-44.

Promoted to be Envoy Extraordinary and Minister Plenipotentiary at Jedda [Jiddah] 1945.

O.B.E., 1932

C.M.G., 1944

K.B.E., 1947

169

*H. M. Patel to M. A. Jinnah**F. 127/184*IMMEDIATE/SECRET
No. P. O.23/PC/47GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
16 July 1947

In continuation of this office memorandum of even number dated the 15th July, 1947,¹ the undersigned is directed to circulate to Members of the Partition Council the following additional item of agenda for the meeting of the Partition Council called for 10 a.m. tomorrow, the 17th July:²

Withdrawal of British Forces (Note by His Excellency the Viceroy attached)

H. M. PATEL

¹See F. 127/134, QAP. Not printed.²Underlined in the original.*Enclosure to No. 169**F. 127/185*NOTE BY VICEROY
WITHDRAWAL OF BRITISH FORCES

SECRET

1. H.M.G. have announced that the withdrawal of the British Army from India will commence immediately after the transfer of power, will be carried out as quickly as shipping permits, and is expected to be completed by about the end of 1947.

2. H.M.G. have also agreed with the conception that British Forces in India, after 15th August, should have no operational function whatever, and that they will therefore not be available to be called upon for such purposes as internal security, use on the North West Frontier, or, of course, use in the States. They would be regarded as continuing their training here until transport arrives to take them away.

3. H.M.G. have, however, represented that it may be of advantage to all parties concerned to retain, for the time being, the R.A.F. transport squadrons and their maintenance organisation at present in the Karachi-Mauripur area. These squadrons might, it is suggested, be of

great use to both Dominions in maintaining internal military communications, and assisting in the training of Pakistan and Indian Dakota squadrons. They could also be available in a non-operational role in the event of serious internal unrest, bearing in mind that both Dominions will themselves only be able to provide similar facilities to a limited degree for some time to come. The presence of these R.A.F. units would also assist both Governments in providing air transport facilities and maintenance of essential routes in and through India. One of these squadrons would be moved from Karachi to Dominion of India territory.

4. The question of whether or not these transport squadrons should stay on for a period will be considered at the next Partition Council meeting. If they do remain, they would be under the general control of the Supreme Commander through the Air Officer Commanding in Chief.

170

H. M. Patel to M. A. Jinnah

F. 127/178

SECRET

No. P.O.24/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,

16 July 1947

The undersigned is directed to circulate to the Members of the Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Tuesday, the 15th July, 1947.

H. M. PATEL

Enclosure to No. 170

F. 127/179-83

MEETING OF THE PARTITION COUNCIL
HELD ON TUESDAY, THE 15TH JULY, 1947, AT 10 A.M.

SECRET

PRESENT

His Excellency the Viceroy

Mr. M. A. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad
 The Hon'ble the Defence Member (For Cases No. PC/38/5/47
 His Excellency the Commander-in-Chief to PC/42/5/47 only)
 The Principal Secretary to His Excellency the Viceroy
 Mr. H. M. Patel
 Mr. Mohamad Ali
 Brigadier J. G. Elliott (For Cases No. PC/38/5/47 to PC/42/5/47 only)
 Mr. Osman Ali
 Lt. Col. V. F. Erskine-Crum

CASE NO. PC/38/5/47
 INFORMATION BROADCASTS TO THE ARMED FORCES
 REGARDING PROGRESS OF RECONSTITUTION¹

The Partition Council approved the proposal that periodical broadcasts should be made to keep the armed forces informed of the progress of reconstitution.

CASE NO. PC/39/5/47
 RETENTION OF THE INDIAN FORCES IN BURMA AND MALAYA²

His Excellency said that the troops were mainly ancillaries and that the effective date—31 Mar[ch] [19]48—has been selected as coinciding with the probable termination of the Joint Defence Council.

The Commander-in-Chief pointed out that apart from ancillary units there were three battalions of Gurkhas, which were needed till such time as the Burma Army had been reconstituted. Further, while the employment of Gurkhas by H.M.G. was still under consideration, there remained the possibility that these troops might be permanently employed outside India and it would be advisable to leave them where they were to avoid a possible double move.

In reply to a question as to the Burma Government's attitude towards their indebtedness to India, it was stated that they showed no willingness to pay and had in fact asked for a further loan. They had, however, been told that the position must now be regularised and a statement prepared to show their indebtedness together with an indication of their capacity to liquidate their debts.

The Partition Council agreed that the troops shown might remain in Burma and Malaya up to 31 Mar[ch] [19]48; and that if either the Burma Government or H.M.G. required Indian units after that date they must negotiate separately for them with either the Government of India or the Government of Pakistan.

CASE NO. PC/40/5/47
POINTS REPORTED FOR INFORMATION

- i. The Council agreed to leave this matter to the discretion of the Commander-in-Chief.
- ii. Noted.
- iii. Noted. The Council took note of a statement by His Excellency that H.M.G. were prepared to loan two Royal Air Force Transport Squadrons to India and Pakistan for a limited period. The exact terms of this offer would be brought before the Council at a later meeting.
- iv. Noted.

CASE NO. PC/41/5/47
CHANGE OF TITLE OF APPOINTMENT OF C.G.S.
IN INDIA AFTER 15 AUG. [19]47³

The Commander-in-Chief explained that the proposal to change the appointment of C.G.S. to C.O.S. would result in his becoming senior to, instead of being the equal of, the Adjutant General and Quarter Master General. He would, therefore, be responsible for all co-ordination within Army Headquarters thereby relieving the Supreme Commander of a considerable burden, as he had in any case to continue personally to co-ordinate the activities of the three Services, Navy, Army and Air Force.

His Excellency remarked that the proposal was in accordance with the practice in South East Asia Command and that he could confidently recommend it for agreement.

The Partition Council agreed to the proposal for the redesignation of the Chief of the General Staff as Chief of the Staff (Army).

CASE NO. PC/42/5/47

The Commander-in-Chief pointed out that in the record of the meeting of the Partition Council held on Thursday, 10 July, item IV, paragraph 2, His Excellency was reported as saying that there would be an exchange of equipment between the Dominions when the necessary conversion of artillery units took place. This was, in fact, not the position. There were sufficient stocks available to enable the necessary equipment for converting units to be issued to them in their present locations before they moved. Equipments surrendered by them would be taken back into the common pool and be available for distribution as reserves between the two Dominions on the agreed basis.

It was agreed that this was a satisfactory arrangement and the Council took note of the alteration of the record.

CASE NO. [PC] 43/5/47
REPORT OF THE I&S DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. 1 ON ITEM (a) (i) OF THE TERMS OF
REFERENCE OF THE EXPERT COMMITTEE⁴

His Excellency said that in the case of "unique" establishments like the Central Sericultural Research Institute, Berhampur, the question might be considered whether the facilities they afforded could not be shared between the two Dominions for an initial period on terms to be mutually agreed and subject to termination by either Dominion on giving, say, 12 months' notice. Such an arrangement would make for economy and prevent dislocation. The Steering Committee might be asked to consider this matter and to work out broad principles for the guidance of the various committees concerned with institutions of this nature.

In the course of discussion it was contended that while it was feasible to make available facilities required at such institutions, there could be no question of joint administrative control; the administration would have to be the responsibility of the Dominion in whose territory any such institution was located. It was pointed out on the other hand that the Dominion which contributed a share of the cost of running such institutes not located in its own territory should be entitled to a voice in their administration. Another method would be to allow the responsibility for administration to rest with the Dominion in whose territory any such institute was situated but to allow the other Dominion to appoint a high power representative with liaison functions without, however, in any way being concerned with responsibility for the administration.

The Council—

1. approved the recommendations of the Steering Committee on the report of the Departmental sub-committee, as modified by Expert Committee No. I.

2. directed the Steering Committee to compile, for the consideration of the Council, a list of all institutions which are to be found in one of the two Dominions only and which could not be readily duplicated, together with (i) proposals regarding terms on which facilities provided by them should be made available to the Dominion in which they are not situated, (ii) details of existing management, and (iii) proposals as to the management in the future.

CASE NO. PC/44/5/47
REPORT OF THE RAILWAY DEPARTMENT SUB-COMMITTEE
OF EXPERT COMMITTEE NO. 1 ON ITEM (a) (i) OF THE
TERMS OF REFERENCE OF THE EXPERT COMMITTEE⁵

The Council approved the Steering Committee's recommendations on the report of the Railway Department's sub-committee on item 1 (a) (i) of its terms of reference.

CASE NO. PC/45/5/47
ARRANGEMENTS FOR EFFECTING PHYSICAL DIVISION
OF STORES ON N. W. AND B. A. RAILWAYS⁶

The Council approved the Steering Committee's recommendations on the report of the Railway Department's sub-committee of Expert Committee No. II regarding arrangements for effecting physical division of stores on N. W. [North Western] and B. A. [Bengal and Assam] Railways.

CASE NO. PC/46/5/47

His Excellency circulated a note prepared by the Governor of the Punjab⁷ asking, on behalf of the parties in the Punjab, for the decision of the Partition Council on two issues about the partitioning of that province. His Excellency said that the paper would be considered at the next meeting of the Partition Council on Thursday, but that a preliminary discussion now might assist in arriving at decisions at that meeting. It was highly important that agreement should be reached here because the whole work of partition in the Punjab was being held up pending a decision on the points raised.

After a brief discussion, it was agreed that the Hon'ble Mr. Liaquat Ali Khan and the Hon'ble Sardar Vallabhbhai Patel would have an informal discussion on some of the ancillary questions raised in the paper before the next meeting of the Partition Council.

¹Enclosure 1 to No. 124.

²Enclosure 2, *ibid.*

³Enclosure 4, *ibid.*

⁴No. 122.

⁵Enclosure 5 to No. 124.

⁶Not available in QAP.

⁷Enclosure to No. 154.

171

Mahmud Hasan Khan to Nawab of Rampur

F. XIX/157-157A¹

MEMORANDUM SUBMITTED BY THE RAMPUR MUSLIM
CONFERENCE TO HIS HIGHNESS THE NAWAB OF RAMPUR ON
BEHALF OF THE RAMPUR MUSLIMS

RAMPUR,
16 July 1947

May it please your Highness,

With profound respect I beg to lay before you the following on behalf of your Muslim subjects, 12,915 of whom have signed this document with a view to prove that it is the genuine desire of the entire Muslim population of Rampur State:

1. That Your Highness is aware that in between the fall of the Mughal Empire and the year 1774, the date of the foundation of this State, people played the most important role in shaping the destiny of this country. They ruled the entire territory lying between the Ganges and the Himalayas and had their strongholds spread all over the country, now roughly called the Rohilkhand Division of the United Provinces. Theirs was the only Muslim power in this country during the time the fabric of the Mughal Empire was torn to shreds. They established a Government of their own and kept the torch of Muslim culture burning in this country in times of chaos and darkness that followed the fall of the Mughal Empire. It was they that organised the famous blow to the Maratha ascendancy in 1761, otherwise called the 3rd historic Battle of Panipat, which hurled back the sweeping Maratha hordes, smashed their power and changed the course of history in this country. History's verdict is clear and indisputable on this point. Had there been no Panipat in 1761, the India of today with all its complicated problems would have been quite different from what it is. Your Highness, these people with whose glorious achievements the India of the 18th century resounds were the Rohillas, and they were Muslims. In the year 1774 when the Muslim State of Rohilkhand received an unjustifiable blow from the combined forces of the Nawab Vizier of Oudh and the British, Warren Hastings, the then British Governor-General of India, had to undergo a severe impeachment in the Parliament for this unwarranted use of the British Army.

2. While the year 1774 brought considerable curtailment in the territory governed by the Rohilla Muslims in this country, it saw the beginning of the present Muslim State of Rampur recognised by the Nawab of Oudh and the British by means of treaties. Being the only Muslim State in this huge province of the country the Muslim savants flocked to Rampur court during this one century and three quarters *[sic]* and the State became a cradle of Muslim language, literature, art, theology and social studies. While maintaining a strictly Muslim character of the State, the Rulers and the Muslim inhabitants of Rampur have always followed a policy of tolerance towards other sister communities who flocked in to enjoy all amenities of a peaceful life in this State.

3. For a pretty long time the Muslims of the State enjoyed privileges worth their traditions and achievements. But I believe Your Highness is not unaware that all has not gone well with these proud people for some time past. It is because the present Chief Minister, Mr. B. H. Zaidi, during his tenure of office extending over an unduly long period of a dozen years has followed a disastrous policy of alienating your subjects from you. In utter disregard of all traditions and treaty

rights he dissociated the Muslim residents of the State from any real share in the Government. He has been playing the role of a dictator and carrying out his policy with a few self-seekers and nincompoops around him dressed up for show. His administration has been marred with corruption, nepotism, selfishness and expediency instead of honesty, justice, public-spiritedness and adherence to any sound principles. He has been an usherer [*sic*] of darkness instead of light in this 20th century and administers his reactionaryism [*sic*] with the help of sheer force and awe. Rampur made no constitutional progress worth the name during his tenure of office and whatever show of [*sic*] reforms were introduced were rendered defunct and null [and void] by underhand tactics. Pre-war mock assembly still exists despite promises, after every few months, that a new reformed constitution is on the anvil. The intensity of public feeling against him may well be judged by the huge demonstrations and all-out strikes of more than a week's duration in the years 1937 and 1939.

4. The Muslims of Rampur feel that the climax of their misfortunes is now reached [*sic*] at the hands of the Chief Minister since he has decided [on] the place of Rampur in the forthcoming constitutional set-up of the country. After a prolonged coquetting with the Muslim League and the Congress, the two major political parties of British India, the Chief Minister has after all succeeded in bargaining with the latter and has thrust this Muslim State into the Indian Constituent Assembly. He is neither an elected representative of the people of Rampur nor does he enjoy their confidence. He is not even an inhabitant of this place. He does not, therefore, hold a mandate from the people in whose interests he has taken such a bold step full of consequences in times to come. Historically, politically, culturally and religiously we have nothing in common with Hindu India, *and since the Indian Muslims have been recognised as a separate nation by the creation of Pakistan, the natural place for our State is the Pakistan Assembly.*²

5. In view of the fact that most of the States have not yet decided as to which of the two Dominions they should join or remain free, this hurried decision of the Chief Minister appears to be dictated by self-interest alone and is highly deplorable. I hope Your Highness is aware that even at this late stage Rampur remains the only Muslim State that has joined the Indian Constituent Assembly. Even such small Muslim States as Jaora, Baoni, Janjira and Tonk have stayed out despite all threats of the Congress to issue economic sanctions against them and make their separate existence impossible. There are others that have declared to be free and [*sic* for to] establish relations with either of the two Dominions while some of the Muslim States are intending to join Pakistan regardless of the fact that they are surrounded by Indian Provinces.

6. H.M.G.'s announcement of June 3, 1947³ is quite clear and the subsequent statements of Mr. Jinnah⁴ and the British Premier⁵ have further clarified the position. It is left entirely at the option of the Indian States whether to join either of the two Dominions or remain free.

7. In view of the above-mentioned facts your Muslim subjects entreat Your Highness to kindly remove Mr. B. H. Zaidi, the Chief Minister, from State service and issue a proclamation to the effect that the State will forthwith withdraw from the Indian Constituent Assembly and join the Pakistan Assembly represented by a man who enjoys full confidence of the Muslim public of Rampur.

I hope that this important step which would be in consonance with the historical traditions of the State will go a long way to restore the confidence of Your Highness's Muslim subjects in your Government and will patch up much of the schism recently widened by the ill-meditated step of the present Chief Minister of Rampur State.

Your Highness's loyal subject,
MAHMUD HASAN KHAN
President,

Muslim Conference, Rampur State, U. P.

His Highness the Nawab of Rampur,
Rampur State, U. P.

¹QAP (Printed Material).

²Underlined in the original probably by Jinnah.

³No. 1, Vol. II, 1-6.

⁴No. 4, *ibid.*, 19-22.

⁵See No. 57, TP, XI, 107-8.

172

M. N. Kotwal to M. A. Jinnah

F. 910/345

JEHANGIR KOTHARI BUILDING,
DENSO HALL, KARACHI NO. 1,
17 July 1947

Dear Mr. Jinnah,

I trust you were in receipt of my last letter dated the 9th inst[ant].¹ The Court passed orders on the 15th inst. sanctioning the sale and I now

await remittance so that the Sale Deed may be duly executed. You will kindly note accordingly.

Yours sincerely,

M. N. KOTWAL

B.A., LL.B.

Solicitor, Advocate and Notary Public

¹No. 82. Also see No. 164.

173

G.E.B. Abell to K. H. Khurshid

F. 2/225

SECRET

No. 1446/16

THE VICEROY'S HOUSE,

NEW DELHI,

17 July 1947

Dear Khurshid,

Could you please let me know, in order that a submission may be made to His Majesty the King, in respect of Mr. Ghulam Hussain Hidayatullah as Governor of Sind, whether Mr. Ghulam Hussain Hidayatullah has yet accepted the invitation to take up that appointment.

Yours sincerely,

G.E.B. ABELL

K.H. Khurshid, Esq.,

Secretary to Mr. Jinnah

174

Akhil Chandra Datta to M. A. Jinnah

F. 178/22-3

P 349 SOUTHERN AVENUE,

CALCUTTA,

17 July 1947

My dear Mr. Jinnah,

I sent you the following telegram¹ the day before yesterday which I hereby confirm:

East Bengal Muslim mass impression and attitude that Pakisthan [sic for Pakistan] has conferred right to destroy Hindu life property religion and honour of women made Hindus in East Bengal extremely nervous panicky and miserable. Many actually contemplating and preparing for leaving Pakisthan. Your assurance at this juncture of protection to minorities in Pakisthan accords great relief. To ensure its desired effect immediate steps should be taken for implementing and executing your assurance in everyday life in all spheres. I suggest constant tours of League Leaders exhorting Muslim mass[es] to carry out your assurance in daily life and thus inspire and restore confidence enabling Hindus to live honourably and peacefully in East Bengal Pakisthan.

Allow me to repeat that the Hindus of East Bengal have become nervous and panicky. They feel that their life, property, religion and honour will not be safe under the Pakisthan Govt. In fact the Hindus seem to be completely paralysed. Such apprehension may be more or less unwarranted. But there is no denying that as a matter of fact it is there, paralysing to no small extent the normal life of the Hindus in East Bengal. The East Bengal Hindus look up to you for removing this apprehension and taking immediate and effective action to instil hope and to inspire confidence. The Pakisthan Govt. for their own sake should make the Hindus feel that it will be an unmixed blessing and not a curse. They should not only meet [sic for mete] out justice without discrimination between Hindus and Muslims, but they should make the Hindus feel that they are determined to do justice.

I have a word to say to you with reference to banks in East Bengal. They are managed and controlled mostly by Hindus. All sorts of mischievous rumours are doing havoc. The bulk of the depositors are Hindus and they apprehend that their money might be lost under the new Pakisthan Govt. This is no doubt fantastic nonsense. But as Managing Director of a certain bank I feel that the banks are now in a very perilous situation. While the Hindus are seeking withdrawal the Muslim contractors feel helpless without financial accommodation from the banks to execute the new contracts they are obtaining in connection with the construction of extensive buildings at Dacca and other places. There should be some pronouncement from some responsible quarter to nip this false impression in the bud. Bank is a credit institution and may be damaged beyond redemption in no time. This is only one out of many instances of irreparable mischief by unfounded panic and nervousness. This has got to be combated. All possible steps should be taken to prevent prejudice against Pakisthan. In fact Pakisthan

Govt. is on trial. The whole world is watching the development and progress of Pakistan. It goes without saying that it is your ambition to make Pakistan to [sic] command respect and confidence not only in India but in the whole world. Pakistan must not be an object of dread and fear but of hope and respect.

Yours sincerely,

A. C. DATTA

ex-Deputy President, Indian Legislative Assembly

¹Not available in QAP.

175

A. K. Fuzlul Huq to M. A. Jinnah

F. 281/47-8

114A NEW PARK STREET,
CALCUTTA,
17 July 1947

Janab Quaid-i-Azam Saheb,

Ever since you made it possible for me to re-enter the Muslim League¹ and place my services at the disposal of the community, I have been thinking of meeting you, or at least writing to you, to explain to you the tremendous changes that have been taking place in Bengal politics in recent years. But something or the other stood in my way, and I have not yet been able either to meet you or write to you. Today the situation is such that it is indispensably necessary that you should be made acquainted with Muslim politics in this part of the world from a point of view which has not been pointed out to you. The fight is over, and we have won. But as they say in the English law courts, the troubles of the decree holder begin after the decree. Formerly, the fight was with a common enemy and personal animosities were hushed by a sense of the grave issues at stake and by a burning desire to put forth a common endeavour to vanquish a common enemy. Now that the fight is over, our soldiers and generals have begun to fight among themselves for shares in the booty. I have hitherto kept aloof from internecine quarrels, simply to avoid complications. Even now I am no party to any quarrels that are going on and I am prepared to sacrifice my own personal ambitions to protect Pakistan. But I feel

that I should meet and tell you how things now stand, and enable you to form an idea of the situation from a detached point of view. For this purpose, I would like to have an interview with you on any date and at any time convenient to you. Owing to the impending partition of the High Court, the Chief Justice has passed orders that the cases from East and North Bengal should be disposed of before 1st August, as far as possible. Nearly 75% of these cases include mine and I am terribly overworked. I will not therefore be able to wait more than a day at any place when you may be pleased to call me. Hence my request for a time and date, so that I may not be unnecessarily detained.

I wanted to congratulate you, but I did not do so since I thought you would look upon such a course as bordering on formality. I reserve my outburst of feelings for a suitable occasion when I can have an interview with you.

Anxiously awaiting a reply to tell me about the date and place of interview and with the deepest regards,

I am,
Yours sincerely,
A. K. FUZLUL HUQ

¹He was expelled by the AIML in 1942; rejoined ML in 1946.

176

A.S.M. Mofakher to M. A. Jinnah

F. 169/32-5

CALCUTTA HIGH COURT,
CALCUTTA,
17 July 1947

May it please Your Excellency,

A thrilling sensation of joy, a sigh of relief on attainment of freedom, passing through my veins inspires me to convey you a grateful message of congratulation on behalf of myself, members of my family and children, on this happy occasion of your unique victory in liberating the downtrodden Muslims of India, and on your appointment as their first ruler—supreme guardian of law and order. “Right man in the right place.”

Your Excellency by this mighty achievement have composed a new chapter in the history of India for which the present and future Muslims shall ever remember you with gratitude, admiration and love.

As our future is in your hands, I, as one of your most insignificant armymen, ever loyal to the creed of League and with a record of service and sacrifice, beg most respectfully to place before you the following few important points for your careful consideration.

At this momentum [*sic*] while we are entering a new era, the Muslim Bengal is in the grip of corruption—corruption which includes trade in bribe, nepotism, racing for power, self-aggrandisement, hoarding and black-marketing. In fact the entire atmosphere has become poisoned and violated [*sic*]. Indiscipline and disrespect to the teachings of the holy *Qur'an* have made a formidable hold in the society. Top to bottom, all have become addicted to the making of money by any means available. None is thinking for the collective good of the people.

Pakistan literally imports an idea of purity and honesty, the administration of which must therefore be entrusted to persons who are true in faith, honest and pure. They must have an ideal of life based upon justice, impartiality and selflessness. Self-seekers must be avoided.

In order to cheque [*sic* for check] corruption and fight against other existing evils of the society a definite constructive scheme must be worked out. The first and primary object of the Pakistanis should be to make her people prayer-minded as prayer and fasting are the proved methods of moulding and shaping the character of a man.

In my opinion genuine efforts must be made by all legal means to recall the Muslims to Islam. Pakistan will be a misnomer if we cannot build a tradition in her administration.

Since about six years [*sic*] I drafted a scheme to organise the Muslims through mosques and to build up a nation in strict adherence to the principles of law laid down by *Allah* and the Prophet. But alas! all my attempts to earn the co-operation of the estate frustrated, and in result failed to proceed [*sic*].

If Your Excellency either permits me an interview or desires me to send a copy of the scheme I may send the same for your perusal. I beg to further add that my services are at Your Excellency's absolute disposal.

Hope this may find Your Excellency quite fit in health and humour. An early reply is solicited.

I beg to remain,
Your Excellency's
most obedient brother in faith,
A. S. M. MOFAKHER
Advocate

177

K. Aslam Sultan Mohamed to M. A. Jinnah

F. 4/53

ANDERSHEHR, PESHAWAR,
17 July 1947

Revered Quaid-i-Azam,

A design for our national flag is enclosed¹ for your kind consideration. There is no doubt that we have a historical green flag, but I dare to put my views for the need of a revised national flag.

The goal of Pakistan has been achieved by the united efforts of ten crore Muslims of India under your able guidance and therefore the flag should embody all the ten crore Musalmans.

There are ten stars on flag at specific places. The ten stars represent ten crore Indian Muslims, and their fixture on certain places specifies predominantly Muslim areas in Pakistan and Hindustan.

The Egyptian flag has three stars and a crescent. We better have ten stars and a crescent to represent ten crore Muslims.

With best regards,

Yours sincerely,
K. ASLAM SULTAN MOHD.

¹See F. 4/54, QAP. Not printed.

178

Nizam of Hyderabad to M. A. Jinnah

F. 696/126

CONFIDENTIAL

HYDERABAD DECCAN,
17 July 1947

My dear Mr. Jinnah,

Since you take keen interest in the affairs of Hyderabad so I want to keep you well-informed as to how our affairs are progressing. In view of this I am enclosing herewith [a] copy of the Hyderabad Delegation Report, which had gone to Delhi, for your information. This Delegation is proceeding to Delhi again by next Monday [21 July 1947].

Yours sincerely,
MIR OSMAN ALI KHAN

Enclosure to No. 178
Said-ul-Mulk to Nizam of Hyderabad
F. 696/127

HYDERABAD DECCAN,
 16 July 1947

Your Exalted Highness,

I beg to submit herewith, for Your Exalted Highness' gracious perusal, a note of discussion which the Hyderabad Delegation had with His Excellency the Viceroy in Delhi on the 11th July 1947.¹

With deep respects,

I beg to remain,
 Your Exalted Highness'
 most loyal and devoted servant,
 SAID-UL-MULK

¹Annexure I.

Annexure I to Enclosure to No. 178

F. 696/128-42¹

SECRET

15 July 1947

The Hyderabad Delegation consisting of the following members met H. E. the Viceroy at Viceroy's House on Friday, the 11th July 1947, at 10.30 a.m.

- i. H. E. the President, Executive Council²
- ii. Nawab Ali Yavar Jung Bahadur³
- iii. Sir Walter Monckton⁴
- iv. Syed Abdur Rahim, Esq.⁵
- v. Pingle Venkat Rama Reddy, Esq.⁶
- vi. Mr. Nizamuddin (Deputy Secretary)⁷

The meeting dispersed at 12. 45 p.m.

H. E. the Viceroy was assisted by the following officials:

- i. Sir Conrad Corfield⁸
- ii. Mr. Thompson⁹
- iii. Mr. V. P. Menon¹⁰
- iv. Mr. Wakefield¹¹
- v. Mr. Akhtar Husain¹² (as observer on behalf of Pakistan)

2. His Excellency welcomed the Hyderabad Delegation and thanked His Exalted Highness for sending them to Delhi for the discussion. In

the course of his preliminary remarks, His Excellency explained why he had asked Hyderabad to come to a meeting first, apart from the leaders of the political parties. This method of negotiation with one party at a time proved most successful in the formulation of the Plan of 3rd June.¹³ The two parties had not come together at the same meeting until 2nd June. His Excellency then went on to describe the role he had played in obtaining from the political parties in British India an acceptance of the Memorandum of May 12, 1946,¹⁴ regarding Indian States. He had come out with instructions not to deviate from the Cabinet Mission's Memorandum of May 12, 1946, nor to enter into fresh discussions on the subject of future relations with the States. Till then the Memorandum had not been accepted by any political party. He had been successful, however, in persuading the parties representing the two future Dominion Governments to accept the Memorandum and this was implicit in their acceptance of the 3rd June Plan. He said that just as he had endeavoured to resolve the differences between the Congress and the Muslim League, it was his ambition to resolve the differences existing between the Congress and the Indian States. In order to have a properly constituted Department representing both successor Governments, the new States Department had been set up under Sardar Vallabhbhai Patel, a great realist. He was glad that Mr. V. P. Menon, a member of his own staff, had been selected as Secretary to the new States Department. Mr. Akhtar Husain was present, His Excellency added, as he was holding a watching brief on behalf of the Muslim League. His Excellency said he was proud that both political parties had trusted him with the conduct of the present negotiations as Crown Representative. He said that he was endeavouring to find a solution which would involve minimum sacrifice and dislocation in the internal economy of the States—specially Hyderabad which, with her size and importance, could also exercise a great stabilising influence. He said that both by family and by conviction he was an ardent believer in constitutional monarchy as there was no better form of Government provided that it was allied with democratic institutions. Given a wise ruler who associated effectively the voice of his people with the constitution and administration of the State, a State could have nothing to fear. He was aware that Hyderabad was making strides in that direction and hoped that, in the interests of India and in her own interests, she would take a statesmanlike view of the future. It was his desire to bring as many States as possible into some system or scheme which would produce stability. He added that a few weeks ago he would never have believed it possible that he could bring Sardar Patel

or the new States Department to take a reasonable view. The Department was, however, under heavy fire from the rank and file of the Congress Party. His Excellency said that, during his talks with Sir Walter Monckton, the latter had pointed out the great difference between the Cabinet Mission Plan of 16th May, 1946,¹⁵ and H.M.G.'s Plan of 3rd June 1947, as they affected the States. This difference lay in the fact that, in the former, a set of circumstances was created in which States could adhere to the Central Government without in any way surrendering their own rights over their internal economy. They had been asked to join only on the three subjects which they could not fully control themselves, namely, overall Defence, External Affairs and Communications. On the other hand, as a result of the 3rd June Plan, the future Governments both apparently envisaged a much tighter form of centre. However, it had occurred to him, and the future Governments now recognised, that the only way to induce the larger States to associate themselves with the future Dominion of India would be on terms no stricter than those envisaged by the original Cabinet Mission Plan. The present was not the time for argument. It was necessary now to face up to realities. This in itself was a great advantage to the States. He had asked the leading personalities of the political parties and of the States, as well as the Editors of the most important newspapers, to avoid making provocative statements for this next month. So it was to be hoped that there would be a standstill agreement at least on verbiage.

3. The Prime Minister¹⁶ thanked His Excellency for the kind welcome extended to the Delegation and for the decision taken by His Excellency to himself preside over the negotiations. The Hyderabad Delegation fully appreciated this. It was in the fitness of things that His Excellency should deal with the matters about to be discussed as the majority of them were the outcome of Treaties and Agreements or relationship between the Crown and H.E.H. He explained that the recent announcement of His Exalted Highness which was made on the unanimous recommendation of his Government had made it clear that His Exalted Highness had no intention of obstructing the administration of India and was willing to negotiate a settlement on matters of common concern.¹⁷ The Nawab of Chhatari said that he considered it to have been a great personal triumph for His Excellency to obtain acceptance of the Cabinet Mission's Memorandum of 12th May 1946, as also to persuade both parties to accept Dominion status. It was quite clear from His Majesty's Government's statements that the States were free to take any action they liked when paramountcy lapsed. His

Excellency said that he agreed that there was no shadow of doubt that the legal position was that the States would be absolutely free after 15th August.

4. His Excellency then went on to say that the object of the meeting was to discuss the following subjects:

1. Evacuation of the Secunderabad Cantonment
2. Retrocession of jurisdiction over Railway lands and Cantonments in the State
3. Berar
4. Standstill Agreements
5. Relationship with the Union of India

5. EVACUATION OF THE SECUNDERABAD CANTONMENT

His Excellency said (with the assent of Mr. V. P. Menon) that the principle of evacuation in as early a time as practicable was accepted and there was no intention on the part of the Government of India to retain troops in Hyderabad against Hyderabad's wishes. It was, however, likely to prove impossible to move away all troops, including specially the R.I.E.M.E., with their heavy equipment, before August 15. The combatant troops, which were the most mobile, would move first and the technical personnel and stores last. The process was bound to take some time, in just the same way as the withdrawal of British Forces from India as a whole could not be completed at once, and was likely to extend until the end of 1947.

Alternative accommodation for the troops to be withdrawn would have to be found. His Excellency said that he would personally assume responsibility for the programme being adhered to and that the programme would be made by the Commander-in-Chief of India, Field Marshal Sir Claude Auchinleck. The Prime Minister stated that he was glad to hear that the principle of evacuation was accepted and that he would first like to see the programme before committing himself to acceptance of its implications. He said that he would like to have the programme as soon as possible in order to be able to know the time it would take for the troops to be removed.

6. RETROCESSION OF JURISDICTION OVER (A) CANTONMENTS AND (B) RAILWAY LANDS

His Excellency said that it had been decided to hand over all jurisdiction so far exercised by the Crown Representative but when notices cancelling the jurisdiction of the Crown Representative were issued, there should be no administrative vacuum. Arrangements would thus have to be made with regard to Contractual and Legal Obligations, Police, Judiciary, Staff, Buildings, etc. The Prime Minister welcomed

the decision and said there would be no difficulty as far as the State was concerned; there were precedents in the past (Hyderabad Residency and Secunderabad) which could be used as models subject to such amendments as might be necessary in the light of the new conditions. Nawab Ali Yavar Jung stated that negotiations were now proceeding in Hyderabad with regard to the evacuation of the Aurangabad Cantonment and that more or less the same basis could be adopted except that, with regard to Railway lands, the problems would be slightly different. Sir Conrad Corfield agreed and His Excellency said the details could be settled departmentally. The proposed Standstill Agreement would also cover some of the arrangements.

7. BERAR

His Excellency said that the Indian Independence Bill¹⁸ clearly established the Nizam's sovereignty over Berar in law. The news that His Majesty's Government had accepted this legal position had been a most unacceptable piece of news to the Congress Party. The degree to which the present position could be maintained by the States Department, which was under considerable pressure from the remainder of the Congress Party, depended on the outcome of the present negotiations. Sir Walter Monckton had convinced him that legally and constitutionally the State's case was very strong, but the fact of it was that His Exalted Highness was not in possession of Berar. Berar was now so firmly a physical part of the Central Provinces that nothing short of war or voluntary rendition could in fact return it to His Exalted Highness. The question now was as to how a solution which both sides would accept and which would have to be based upon both the actual and the legal position could be found. His Excellency said that he personally thought that the best way to deal with this matter honourably would be to induce the Congress to accept the fact of the Nizam's sovereignty continuing in its present form; and on the other hand to induce His Exalted Highness to agree that the administration should continue in its present form—in other words that the present situation should continue for a period. He said he had been able to persuade Sardar Patel to accept this formula which meant recognition of His Exalted Highness' sovereignty over Berar. A month ago he could not have dreamt that this would have been acceptable and it would in any case be difficult for the Congress to convince their back-benchers of the propriety of any such settlement. The Provincial Government (which was objecting to the Government of India taking up the matter without reference to it), the majority of the people of Berar and the rank and file of the Congress were against restoration and in favour even of

severance of sovereignty. The Prime Minister then handed over a statement (Annexed)¹⁹ on the legal aspect of the case which had previously been prepared by Sir Walter Monckton. The Prime Minister said he was glad that His Excellency recognized the legal position of the State *vis-a-vis* Berar and added that both legally and morally Berar belonged to the State and Hyderabad would like it to be returned to her. His Exalted Highness regarded Berar as a very important question. Mr. V. P. Menon said that an assurance had been given in 1936 that Berar would never be handed over without consulting the wishes of its people. Sir Conrad Corfield asked, with reference to the offer to continue the *status quo* for a few years, if Congress would accept the fact that, at the end of that period, the position would be identical to that which would be reached on August 15, that is to say, would it still be recognized as legally correct after that date that Berar should revert to the State. Mr. Menon did not directly reply to this question but, upon being pressed by Nawab Ali Yavar Jung, he said that he had no doubt that, if Congress once entered into an agreement of the kind suggested, which implied acceptance of His Exalted Highness' sovereignty over Berar, they would not repudiate it. They were approaching the problem from a very realistic point of view. He pointed out that, if a satisfactory solution on the wider issues was reached, the question of Berar must necessarily fall into line. Congress were looking at the overall picture of how unity could be established. Psychologically the problem now was, after separation of Pakistan, whether the rest of India was going to be balkanised. Therefore, Congress were prepared to make some sacrifices to bring the States in on the essential matters. He could not imagine that any recognition of sovereignty by the Congress would be repudiated later but rendition would be inconceivable. Nawab Ali Yavar Jung stated that he did not believe that it was His Exalted Highness' intention that, after retrocession, Berar should be administered in the same way as, say, a district or *Subah* of the State, in other words, absorbed in the State's administrative system. What was intended was that Berar should form a distinct entity by itself and not be tied up with any Province, even though administered like any Indian Province. His Excellency wondered if the State had thought out the effects on Hyderabad itself of any such arrangement; if one part of the State could have the Indian system the people in the other part would ask for the same. [He suggested that the standstill agreement with regard to Berar should be for an indefinite period, but liable to cancellation by either party at twelve months' notice. This denunciation should not be precipitate,²⁰ but should be

preceded by meetings; and the period of twelve months after indication of the intention to denounce could be employed in negotiation. There was general agreement that this suggestion should be put forward to the Nizam and the States Department respectively.]²¹

Mr. Menon said that although there was urge in Berar to get out of the C. P., this was because the Beraris wanted to join Bombay with whose Maratha population they had affinities. If Hyderabad adhered to the Indian Union and developed, perhaps in five or six years' time, a system of constitutional monarchy, certain more convenient territorial adjustments would become possible: for example, considering the urge for a separate Andhra Province and the fact that a large slice of Andhra territory was within the dominions of His Exalted Highness, the remaining slices could be joined up with Hyderabad. Reverting to the suggestion for a temporary or Standstill Agreement, Sir Walter Monckton stated that it would be necessary to make it clear that the rights of His Exalted Highness would not be prejudiced thereby and that it would be subject to the understanding that the administration would finally revert to him. Sir Walter also suggested that the Agreement might be for a period of twelve months. His Excellency thought that in order to avoid a breakdown it would be necessary to have the Agreement for three or five years and that this would be to the advantage of Hyderabad. After the next two or three years, it would be easier to see the future shape of India and to decide what then were reasonable politics. Circumstances might come about in which the administration of Berar would be voluntarily handed back to the Nizam. After such a period, it would be possible to make a final agreement in an air of realism. Any attempt to rush an immediate change through now in the present mood would result in disaster. His Excellency suggested that the best thing would be to put no limit of time but to make the Agreement terminable at twelve months' notice by either party. Such notice should not, however, be given until after a discussion between the Government of the Union of India and His Exalted Highness' Government. The Nawab of Chhatari stated that, if for practical and political reasons His Excellency found difficulties in the situation and a temporary arrangement is unavoidable, he would of course explain it fully to His Exalted Highness—but this would mean that some concessions would have to be provided. His Exalted Highness would doubtless ask for some *quid pro quo*. The Viceroy pointed out that a statement had been made on behalf of His Majesty's Government in 1936 to the effect that no change would be considered in the present arrangements for Berar without taking the will of the people

into consideration. The present tendency of world opinion did not permit wholesale transfers of territory without the people being consulted. He had no doubt that, if this matter was pressed, Congress would take refuge by calling upon him to order a referendum in Berar. He was very much opposed to referenda as they invariably resulted in harsh and bitter things being said. He had only given way so far in two instances—the N.W.F.P. and Sylhet. He had made enquiries on the chances of a referendum in Berar, and had been led to believe that the people would prefer the present system of administration to continue. The only *quid pro quo* which the Nizam of Hyderabad could surely expect would be that Congress should drop this demand for a referendum, at the same time continuing to recognise His Exalted Highness' sovereignty over Berar. His Excellency said that he did not believe that on the main issue it would [be] possible to push Congress any further.

They had already gone to their furthest point. Sir Walter Monckton said that whatever statement had been made on behalf of His Majesty's Government in 1936, His Exalted Highness would no doubt remember a letter which he had received that year from the Crown Representative to the effect that the administration of Berar could not be passed into other hands without his (His Exalted Highness') consent. His Excellency pointed out that it was not physically possible for him to turn over the administration of Berar to the Nizam on the 15th August. If attempts to do this were made, it would mean a fight, a boycott and perhaps fatal economic isolation of Hyderabad. As far as His Majesty's Government were concerned, the legality of the position was recognized. But what would happen if His Majesty's Government handed over Berar on paper to His Exalted Highness on August 15? On that date Berar would legally and constitutionally revert to Hyderabad but from that date he would become a constitutional Governor-General and would have no means of giving effective military aid to His Exalted Highness for securing possession. Would His Exalted Highness be able to march in and secure it? If he did that it would virtually lead to war. The Prime Minister said that he would have to place the proposal for a temporary Agreement before His Exalted Highness and that no final answer could be given in the meantime.

8. STANDSTILL AGREEMENTS

His Excellency then introduced the subject of the Standstill Agreements. Sir Walter Monckton asked if it was decided that the discussions on the Standstill Agreements between the State and the two Successor Governments were fixed for the 24th July. His Excellency

stated that the effective discussions would take place on or about the 24th or 25th July at a meeting for Hyderabad separate from any meeting arranged for other States and that the discussions would be with the representatives of both the Successor Governments. It was suggested that the Hyderabad Delegation should come a couple of days earlier.

9. RELATIONSHIP WITH THE UNION OF INDIA

His Excellency referred to the request by His Exalted Highness for Dominion status. He had received a telegram²² from His Exalted Highness before he had left London. However, before he had got this telegram, His Majesty's Government had decided that it could not agree to the grant of Dominion status to individual States.²³ This decision was based on reasons of realism. Dominion status implied that there were no military secrets between countries in the Commonwealth. Although Hyderabad was [a] country of the size of France, with a population bigger than any existing Dominion, she was completely enclosed by the territories of British India. His Majesty's Government did not feel that they could commit themselves to the responsibility to come to the aid of a country which was thus surrounded. The case was to be compared with that of Poland before the war. The question, therefore, arose as to how the Hyderabad Government could be given full benefits without actually becoming a member of the Commonwealth. In His Majesty's Government's view, this could only be done through one or other of the two new Dominion Governments. For this purpose, adherence on the three main central subjects would be necessary. It appeared to him that adherence for the purposes of Defence represented an elementary requirement on the part of Hyderabad. Without it Hyderabad's Army would be out of date in twelve months as it would not have access to modern military discoveries or secrets. Nawab Ali Yavar Jung asked what would happen in this connection if the Dominion, to which Hyderabad adhered, decided, after a period, to go out of the Commonwealth. In that event Hyderabad would lose the British connection and count [*sic* for could] not secede. His Excellency replied that he could not prophesy what line H.M.G. would take in such circumstances. He did not personally believe that either Dominion was likely to leave the Commonwealth at an early stage. In any case, if Hyderabad adhered on the three central subjects, she would have a big voice in the decision. What was the alternative to adherence on the three central subjects? There was no other means of coming into the Commonwealth. He had already mentioned Defence, by which he meant overall Defence. Moreover, the defence of Hyderabad

was bound up with the defence of India. The second subject was External Affairs, and it was impossible to separate it from Defence. The third subject was Communications which would in any case be covered by the Standstill Agreements which were to be made. Sir Walter Monckton pointed out that [the] representatives of Pakistan, although an observer was present, were not a party to the present discussions. The position of Hyderabad was a special one as the Ruler, owing to the position and structure of his State, was naturally anxious to maintain friendly relations both with his neighbours and with Pakistan. Without contemplating the possibility of mutual warfare between the two new Dominions it was at least possible that, in the conduct of External Affairs, they would be engaged in political strife. If Hyderabad joined the Indian Union, she would be committed to share in such political strife. He asked how it would be possible to refrain from adopting an un-neutral [*sic*] attitude if Pakistan and India engaged in disagreements or worse. Mr. Menon, intervening, said that he thought Hyderabad would be entitled to remain neutral in the sense that if actual warfare broke out she could refuse the use of her troops against Pakistan. Sir Walter said that until it was known whether, for instance, such ideas as Mr. Amery²⁴ had put forward for a Standing Conference for what might come to be known as the Indian Commonwealth had been considered and perhaps adopted, it would be most difficult for His Exalted Highness to contemplate the possibility of accession to the Indian Union. His Excellency replied that this question was exercising the minds of all parties and specially that of Mr. Gandhi. It would not be possible to take it up before August 15, but he hoped that before the Joint Defence Council disintegrated, there would be meetings which would clear this point up, at any rate on the military side. On the political side, an idea which had occurred to him was that a Commonwealth Relations Conference might be held in Delhi which would, after August 15, be the geographical centre of the Commonwealth, to discuss what would happen in the case of strained relations between two members of the Commonwealth. Before such a conference took place, perhaps there would be talks on the subject within India. Mr. Menon said that after all His Exalted Highness did not exercise his sovereignty even at present in respect of Defence and External Affairs and that, so far as land communications were concerned, all-India standards would have to be followed in any case. Besides, if Hyderabad adhered to the Legislative Assembly of the new Dominion of India, not only would a greater degree of stability throughout the sub-continent be introduced but the voice of Hyderabad would

also be heard in all matters of policy from within. This would be far more effective than any treaty relationship, particularly as, in addition to participation in the Legislature, he could hardly contemplate a Union executive without a representative of Hyderabad being on it. He thought that Hyderabad should declare its intention to join the Union of India immediately when the going was good and when the State could gain advantages for which the time would soon be past. Sitting on the fence would not pay Hyderabad. Nawab Ali Yavar Jung said that these were of course all the well-known arguments in favour of joining any federal constitution. The division of India was, however, based on communal considerations and, by joining the one or the other, His Exalted Highness would appear to be taking sides. His subjects had affinities with both the Dominions and His Exalted Highness as the premier Muslim Ruler had a natural attachment to the other Dominion. His Exalted Highness' announcement took all these different factors into account and its implications were quite clear. Sir Walter Monckton repeated that an idea which, in his opinion, might attract His Exalted Highness would be a standing conference of the different parts of India on the subject of Defence (and perhaps also External Affairs). Sir Conrad Corfield suggested that the States might be represented on the Joint Defence Council, but His Excellency said that there was no possibility of representatives of the States joining the Joint Defence Council as such, because it consisted of only 4 persons. Sir Conrad then asked if adherence could be made easier for Hyderabad by providing for the right of secession. His Excellency said that he wanted nothing said publicly or provided for constitutionally which might contemplate the possibility of the units falling out or the two Dominions fighting a war against each other. His Excellency suggested that any reservations by way of neutrality in the event of war between India and Pakistan should, rather than be published, be contained in a personal letter from His Exalted Highness to himself. There had already been too many declarations which had served to spoil the atmosphere but Hyderabad had behaved well and had created an atmosphere of goodwill for herself. Sir Walter Monckton emphasised that His Exalted Highness would have great difficulty in taking any course likely to compromise his independent sovereignty. Rather than "accession" or "adherence", would not an "Agreement" be better? Such a language and conception might be more acceptable to His Exalted Highness. His Excellency said that if His Exalted Highness decided not to adhere, he would be doing himself and his State the greatest possible disservice. He would be abdicating the lead which he

should rightfully give to the States, indeed the lead of one of the greatest single parties in the Legislative Assembly. That was where the State's influence would be able to exert itself. If this was thrown away Hyderabad would be depriving itself of a great opportunity. The Prime Minister suggested that it would bring about closer collaboration between the different Governments in India if there was a common Defence Council and a similar body for External Affairs. Such joint bodies would create the machinery for mutual co-operation. His Excellency said he could not prophesy the trend of the future nor would he be drawn into any discussion of mere possibilities. The present situation was such that suggestions of the kind would result in mutual suspicion. Surely, for the present, the forum for discussion on those subjects would be the Legislative Assembly. The Assembly would probably have committees dealing with various subjects, on some of which the representatives of Hyderabad would serve. He appreciated, however, the suggestion made by the Prime Minister and undertook to inject the views expressed by the Delegation in this connection into future discussions with the political leaders. He pointed out that the States had the greatest experience of administration in India and the mere presence of carefully selected representatives of the States in the Assembly would have enormous influence. He said that on August 15 the State would no doubt be free to choose its own course but the path of practical wisdom lay in the direction of adherence to the Union of India. Sir Walter Monckton said that, if joining one of the Dominions was necessary for continued association with the British Commonwealth, there was the other constitutional alternative open, namely, adherence to the Union of Pakistan. His Excellency replied that there was no doubt that this was legally possible, but the mechanical difficulty in the facts of geography was very real. Whereas the two parts of Pakistan could communicate by sea, this was not possible for Hyderabad. The Indian Union would soon make it impossible, in some mysterious way, for Hyderabad to adhere to that course. The Pakistan Union would be too far away to assist effectively.

*Moreover, the State would be faced with disruption internally. The State was militarily defenceless. He did not wish to utter a threat, and he would personally deeply regret any such disaster as he would like to see His Exalted Highness and his State prosperous and progressive, but if Hyderabad took such a wrong decision, she would be finished off in a few months or a few years. His reading of the crystal was that there would be a bitter struggle which would cause comparatively minor injury to India but a fatal blow to Hyderabad. It might even mean the disappearance of the Dynasty and the loss of His Exalted Highness' throne. As a constitutional Governor-General, he would have no power to intervene or protect.*²⁵

The Prime Minister stated that the subjects dealt with, namely,

Defence, External Affairs, and Communications and the wider issue of relationship with the Indian Union, could not be discussed without previous notice. In any case, it would be difficult to persuade His Exalted Highness to accept any form of organic association with any Union. Short of that, there could be *Treaties or Agreement or Instruments, effecting the closest friendship and collaboration. He could not, therefore, commit His Exalted Highness or his Government and would place His Excellency's views before his Ruler.*

ALI YAVAR JUNG

¹There is some variation of language and content between this document and the version included in No. 61, TP, XII, 79-88.

²Nawab of Chhatari, Sir Muhammad Ahmad Said Khan.

³Member, Nizam's Executive Council for Constitutional Affairs, 1945-47.

⁴Constitutional Adviser to the Nizam of Hyderabad.

⁵Member, Nizam's Executive Council for Local Government, 1947.

⁶Member, Nizam's Executive Council for Supply, 1947.

⁷Constitutional Affairs Department, Government of Hyderabad, 1947.

⁸Political Adviser to the Crown Representative, 1945-47.

⁹Resident, Punjab States, 1945-47; on special duty in Political Department, 1947.

¹⁰Reforms Commissioner to the Government of India.

¹¹Joint Secretary, Political Department, Government of India, 1946-47.

¹²Deputy Secretary, States Department, Government of India.

¹³No. 1, Vol. II, 1-6.

¹⁴Appendix X, Vol. I, Part II, 479-81.

¹⁵Appendix III.1, *ibid.*, 32-42.

¹⁶See note 2 above.

¹⁷See Enclosure to No. 109, Vol. II, 191-2.

¹⁸Enclosure 1 to No. 1.

¹⁹Annexure II.

²⁰In the original text the word "precipitate" has been substituted for "unilateral" as Erskine Crum thought that this was what was meant when Mountbatten did actually say "unilateral".

²¹Erskine Crum and Monckton decided to omit certain portions from the copy for the Nizam. The changes are indicated in square brackets. For details see No. 61, note 1, TP, XII, 79.

²²Nizam expressed the hope that Mountbatten would support his request for (i) Hyderabad's membership of British Commonwealth; and (ii) signing a treaty with British Government after the transfer of power. See No. 548, TP, X, 1008.

²³HMG maintained that the Indian States could not be accepted as members of the Commonwealth unless they joined one of the two Dominions. See No. 523, TP, X, 970. Also see No. 517, minute 6, *ibid.*, 957-8; No. 533, *ibid.*, 981-2 and No. 553, minute 4, *ibid.*, 1016.

²⁴Secretary of State for India, 1940-45.

²⁵Sidelined here and subsequently with a question mark in the original, probably by Jinnah.

Annexure II to Enclosure to No. 178

F. 696/143

STATEMENT BY PRESIDENT¹ ABOUT BERAR

1. The legal position is plain. Berar is admittedly under the sovereignty of H.E.H. (See Section 47 of the Government of India Act, 1935) and

not under that of H.M. It is, therefore, impossible for H.M.G. to transfer the sovereignty or the territory of Berar to the Indian Union and no attempt has been made to do so in the India[n] Independence Bill.²

2. By reason of the Berar Agreement of 1936,³ and the letters which passed between H.E.H. and the Crown Representative in that year, H.M.G. cannot transfer the *administration*⁴ of Berar to the Indian Union without the consent of H.E.H. nor have they attempted to make such a transfer of administration in the India[n] Independence Bill.

3. H.E.H. claims that the administration of this part of his Dominions should be restored to him. He would undertake to allow the Beraris all the freedom and responsible Government which they now have, under a Governor appointed by him.

4. H.E.H.'s Government recognise that H.E.H. could not assume administrative responsibility for Berar by a stroke of the pen. It would be necessary first of all to arrange for an administrative split between Berar and the Central Provinces and this must take time. Nevertheless, H.E.H. is undoubtedly entitled to demand the reversion to him of the administration of Berar as quickly as possible.

5. If the new Indian Government want a temporary arrangement to give opportunities for a discussion of the Berar problem in all its aspects (an arrangement providing all the terms in H.E.H.'s favour which are included in the present system) they must come forward with an offer. As explained above in paras 1 and 2, the matter cannot be dealt with in the Bill now before Parliament and, therefore, in order to continue for the time being on the present basis, they need H.E.H.'s assent.

¹Nawab of Chhatari.

²Enclosure 1 to No. 1.

³The sovereignty of the Nizam over Berar was reaffirmed by the Agreements of 1902 and 1936. See No. 515, note 2, TP, I, 630. Also see Enclosure to No. 61, note 12, *ibid.*, XII, 88.

⁴Underlined in the original.

179

H. M. Patel to M. A. Jinnah

F. 127/186

IMMEDIATE/SECRET
No. P.O.-25/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
17 July 1947

The Steering Committee present their compliments to Mr. Mohammad

Ali Jinnah and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at The Viceroy's House at 10 a.m. on Saturday, the 19th July, 1947.¹

AGENDA

1. Continued shipment out of India after 15th August, 1947, of stores etc., the property of H.M.G.
2. *Purchase of tanks in the United Kingdom*²
3. Allocation of the Indian Signal Corps between the two Dominions
4. Allocation of supply units of the R.I.A.S.C. between the two Dominions
5. Allocation of State Saloons of the N.W. Railway
6. Reports of Departmental Sub-Committees of Expert Committee No. 1 on item (a) (i) of the terms of reference of the Expert Committee relating to the following Departments will follow:
 - a. Home
 - b. Information and Broadcasting
 - c. Agriculture and Food
 - d. Labour
7. Duplication of recorded files for the Pakistan Government
(Papers in regard to these items are attached)

H. M. PATEL

¹For minutes of the meeting, see No. 171, TP, XII, 259-60.

²Underlined in the original probably by Jinnah.

Enclosure to No. 179

F. 127/187-94

9 July 1947

ITEM I

CONTINUED SHIPMENT OUT OF INDIA AFTER 15 AUG. 1947,
OF STORES ETC. THE PROPERTY OF H.M.G.

RECOMMENDATION OF THE A.F.R.C.

Under the war-time financial settlement and up to 1 April 1947, when that settlement ceased to be operative, all stores and equipments of the armed forces in India were the property of HMG in U.K. *Between the*¹ end of the war and 1 April 1947 a final determination was made of stores and equipments required by India's armed forces and action had been completed to meet all needs that could be satisfied from the surpluses available in India. Payment for these surpluses was to be

effected through the settlement of the sterling balances. Of the remaining stocks the Service Ministries of H.M.G. in the United Kingdom earmarked certain quantities that they themselves desired to remove from India. Any remaining balances were placed at the disposal of the Indian Government for purchase.

2. Stocks earmarked by H.M.G. for removal ex-India come generally under the four following headings:

- a. M.T. vehicles (preponderantly military type)
- b. Ordnance general stores
- c. Engineer plant, equipment and stores
- d. R.A.F. ammunition and stores

Shipment of item (a) has been in progress for over six months. Shipments of items (b) and (c) started recently. Shipment of item (d) is planned to begin shortly. The total tonnage to be lifted is estimated at 125,000 tons plus 6,000 lorry type vehicles and 1,000 motor cycles. If existing arrangements are continued, shipping programmes should be complete by April 1948.

3. It is clearly desirable that the removal of these stores from India, which are surplus to the requirements of India's armed forces and are required by H.M.G., whose property they are, should be allowed to continue. Formal recognition of this continuation is required together with a definition of the authority responsible for controlling it.

4. The Partition Council are, therefore, requested to agree:

- i. that the programme should continue
- ii. that control should be vested in Armed Forces Headquarters acting under the orders of the Joint Defence Council.

RECOMMENDATION OF THE STEERING COMMITTEE

The Steering Committee considers that this recommendation should be accepted.

ITEM II

PURCHASE OF TANKS IN THE UNITED KINGDOM RECOMMENDATION OF THE A.F.R.C.

Prior to the decision to divide the armed forces between the two Dominions, orders had been placed in the United Kingdom for the supply of certain armoured fighting vehicles (tanks) as part of the normal long term re-equipment policy of the Indian Armoured Corps. Information has now been received from the United Kingdom that the type of tank ordered cannot be supplied and a different type has been offered as a substitute. In order to enable manufacturers to plan their programmes, an immediate decision is required if delivery is to be made during the current year 1947-48, as was planned under the original order.

The Armed Forces Reconstitution Committee was asked to decide whether the substitute tank should be accepted or whether the order should temporarily be cancelled. They were of the opinion that the division of the armoured corps into two separate forces, each smaller than the present Indian Armoured Corps, makes it desirable that the composition of the two new armoured corps should be brought under review and that this review is the responsibility of the new Commander-in-Chief of each Dominion, who should then advise his Defence Member before committing the Government to the purchase of expensive equipment which may not be exactly what is required.

As it is obviously impossible to obtain this decision from the new Commanders-in-Chief in time to place the orders in the U.K., the A.F.R.C. consider that it would be wiser temporarily to cancel the orders. There will be no immediate effect on the efficiency or training of the armoured corps of either Dominion, and when the decision has been taken the re-equipment programme can be completed in the same number of years as before by slightly increasing the number of tanks to be delivered annually.

RECOMMENDATION OF THE STEERING COMMITTEE

The Steering Committee agree.

ITEM III

ALLOCATION OF THE INDIAN SIGNAL CORPS BETWEEN THE TWO DOMINIONS

RECOMMENDATION OF THE ARMED FORCES RECONSTITUTION COMMITTEE

The Indian Signal Corps is divided into:

- a. static units
- b. units forming part of field formations (divisions, brigades, etc.)

The static layout originates from General Headquarters, New Delhi, and runs to the three Command Headquarters and thence to areas, and sub-areas' headquarters covering the whole of India. Communications consist of:

- i. Radio telephone and telegraphy controlled and manned by the Services
- ii. Line telephone and telegraphy rented from P.&T. Department and manned by the Services
- iii. Courier system by rail and air

The Armed Forces Reconstitution Committee accepted the recommendation of the Army Sub-Committee that the existing static layout should be retained until reconstitution is complete when it will be open to the Commanders-in-Chief of the two Dominions to make any

readjustments they consider necessary. A new triangular link between Karachi, Rawalpindi and Eastern Pakistan is at the moment being planned as a supplement to the existing layout.

The Director of Signals will re-arrange the class-composition of static signal units by cross-posting of appropriate personnel, but as the maintenance of an efficient signal layout is essential to the reconstitution, cross-posting must not be so accelerated as to interfere with efficiency.

The A.F.R.C. further decided that as the allocation of signal units forming part of field formations must follow the allocation of those formations between the two dominions, a point on which no firm recommendation has yet been made by the Army Sub-Committee, the distribution of formation signals should be considered at a later date.

RECOMMENDATION OF THE STEERING COMMITTEE

The Steering Committee recommend confirmation of these decisions.

ITEM IV

ALLOCATION OF SUPPLY UNITS OF THE R.I.A.S.C.

BETWEEN THE TWO DOMINIONS

RECOMMENDATIONS

OF THE ARMED FORCES RECONSTITUTION COMMITTEE

Supply units of the R.I.A.S.C. are divided into:

- a. static units located at supply depots organised to correspond with military areas
- b. supply units forming part of field formations

The personnel of all supply units is mixed.

For reasons explained in connection with their decision regarding the static layout of the Indian Signal Corps, the A.F.R.C. decided that the static supply layout should remain unchanged until reconstitution is complete, but that the cross-posting of personnel should begin at once with due regard to the maintenance of efficiency.

In addition there are three reserve supply depots located at Lahore, Panagarh and Avadi (near Madras) which are directly controlled by G.H.Q. After the departure of British troops from India, these reserve depots will no longer be necessary in the Order of Battle of either Dominion and the Committee directed General Headquarters to plan to disband them as soon as suitable arrangements can be made for the disposal of the stocks they now hold.

There are also in existence certain field bakery units which serve only British troops. The Committee directed that they should be disbanded as British troops are withdrawn.

For the reasons explained in the previous item on the agenda the

allocation of supply units forming part of field formations will be decided concurrently with the decision regarding the formations they serve.

RECOMMENDATION OF THE STEERING COMMITTEE

The Steering Committee recommend confirmation of these decisions.

ITEM V

NOTE BY THE DEPARTMENTAL SUB-COMMITTEE FOR RAILWAYS— EXPERT COMMITTEE NO. 2

The North Western Railway own 18 saloons used by high Government officials other than Railway Officers. The details of these saloons are indicated in the statement attached.

2. The Departmental Sub-Committee (Railways) of Expert Committee No. 2 would be glad to have a directive regarding the distribution of these saloons between Pakistan and India.

K. C. LALL
M. J. CHUGTAI

Steering Committee

RECOMMENDATIONS OF THE STEERING COMMITTEE

The Steering Committee consider that the allocation may be made as indicated below:

1. Saloons 8,9,10 and 11 which form a unit should continue in India, and Saloons 38 and 39² which form a unit should be allotted to Pakistan.

2. Saloons 15, 16, 18 and 40 should be allotted to Pakistan and Saloons 20 and 31 should continue in India.

3. The six saloons 27, 28, 29, 30, 36 and 37 should be divided equally between India and Pakistan.

H. M. PATEL
MOHAMAD ALI

[STATEMENT]

State Saloon		
Saloon No.	To whom allotted	Stabling station
8	Viceregal Train	C. & W. Shop
9	Viceregal Train	C. & W. Shop
10	Viceregal Train	C. & W. Shop
11	Viceregal Train	C. & W. Shop
15	A.G.G., Baluchistan	Quetta
16	H.E. Governor, Sind	Karachi
18	G.O.C., N[orthern] Command	Rawalpindi
20	Army Dept.	Delhi
27	Members, Viceroy's Council	Delhi

28	Members, Viceroy's Council	Delhi
29	Members, Viceroy's Council	Delhi
30	Members, Viceroy's Council	Delhi
31	Resident, Punjab States	Lahore
36	Members, Viceroy's Council	Delhi
37	Members, Viceroy's Council	Delhi
38	H.E. Governor, Punjab	Lahore
39	H.E. Governor, Punjab	Lahore
40	H.E. Governor, N.W.F.P.	Peshawar

Note. a. Saloons 8, 9, 10 and 11 form one Unit, consisting of sleeping car (No. 8), Lounge car (No. 9), Dining Saloon (No. 10), and Kitchen carriage (No. 11).

b. Numbers 38 and 39 form one Unit, in which No. 38 contains the living rooms for His Excellency and 39 contains the dining saloon and rooms for the Private Secretary, and A.D.Cs. as also kitchen, pantry, etc.

ITEM VII

RECOMMENDATION OF THE STEERING COMMITTEE IN REGARD
TO THE DUPLICATION OF RECORDED FILES
FOR PAKISTAN GOVERNMENT

The Steering Committee have considered the question of duplication of recorded files for the use of Pakistan Government. Under the Secretariat Instructions, all files are required to be divided into two categories:

"A" files which are sufficiently important to justify printing.

"B" Other files.

Since all "A" Class files will be printed sooner or later, the Steering Committee agree with the recommendation made by Expert Committee No. I that the most expeditious course for furnishing the Pakistan Government with copies of the files in which they are interested would be to commence the printing work at once. The W. M. & P. [Works, Mines and Power] Department may, therefore, be directed to take further action in the matter in consultation with the Home Department.

¹Underlined here and subsequently in the original, probably by Jinnah.

²Figures "38 and 39" encircled in the original, probably by Jinnah.

*Annexure I to Enclosure to No. 179**F. 127/195*

No. 1/E.C. (1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI 3,
14 July 1947

MEMORANDUM

Subject: Printing of recorded files—1939-47

Reference this Committee's endorsement No. 1/E.C. (1), dated the 3rd July 1947 and reference para. 6 of this Committee's letter No. 1/E.C. (1) dated the 9th July 1947. A copy of a letter to Mr. Mazumdar regarding arrangements for the printing of recorded files and a copy of his reply are enclosed. Expert Committee No. I realises that the printing of recorded files might take considerable time, but they are satisfied that no quicker method of duplicating the files is available. They accordingly recommend that the proposal made in Mr. Mazumdar's letter should be accepted. On receipt of the Partition Council's decision, Departmental Sub-Committees will be asked to classify the files in order of priority as far as possible from the point of view of the Pakistan Government, edit them for printing and forward them to the Controller of Printing and Stationery, India. As and when printed copies become available they will be sent to the Pakistan Government. Early orders on the above proposal are requested.

P.V.R. RAO
M. AYUB
Secretaries

The Steering Committee
(H. M. Patel/Mohamad Ali)

*Annexure II to Enclosure to No. 179**P.V.R. Rao to D. L. Mazumdar**F. 127/198*

D.O. No. 1/E.C. (1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI 3,
3 July 1947

Dear Mazumdar,

In Expert Committee No. I we have been considering the problem

of making copies of records that will be required by the Pakistan Government. As you are aware, Departmental Sub-Committees are being asked to make a list of all current files and of all files classified as "A" under the Secretariat Instructions and to indicate therein the files of which copies will have to be supplied to the Pakistan Government. As far as current files are concerned, the only mode available seems to be to make copies by typing, but with regard to files classified "A", as such files will have to be printed sooner or later, we feel that it would be helpful if the Works, Mines and Power Department could arrange for the printing of these files during the course of the year so that copies of the printed files may be supplied to the Pakistan Government. We know that your Presses are fully occupied, but it may be possible for the Controller of Printing and Stationery to make arrangements for the printing work to be undertaken by a private press (except, of course, in respect of confidential files, which will have to be printed in a Government Press).

2. We would be grateful for your comments on the above proposal and if you could let us know the monthly capacity that can be made available for this purpose. On receipt of that information, Departments will be requested to send files to the Controller of Printing and Stationery for necessary action.

Yours sincerely,
P. V. R. RAO

D.L. Mazumdar, Esquire, I.C.S.,
Joint Secy. to the Govt. of India,
Department of Works, Mines and Power,
New Delhi

*Annexure III to Enclosure to No. 179
D. L. Mazumdar to P.V.R. Rao*

F. 127/196-7

D.O. No. PN

GOVERNMENT OF INDIA,
DEPARTMENT OF WORKS, MINES AND POWER,
NEW DELHI,
10 July 1947

Dear Rao,

Will you please refer to your D.O.No. 1/E.C. (I), dated the 3rd July 1947 regarding the printing of "A" class files. We have carefully examined the matter with the Controller of Printing and Stationery. The

private presses will not be able to do this work satisfactorily as most of them are not equipped with mechanical composing machines. Apart from this, it seems undesirable that private persons should know what is contained in the Government of India files.

2. As you are aware, the printing of files has been discontinued since 1939. I therefore presume that there will be a large number of "A" class files to be printed. This can, however, be undertaken by working double shift in the Government of India Press, New Delhi, with the existing Lino Machines, provided such files are properly edited by the Departments concerned in accordance with the rules for Printing and Binding. For this purpose, a post of Assistant Controller at the headquarters office solely to look after this work, and at least 10 extra Lino Operators would be required on a pay of Rs. 125-185, which the Finance Department have informally agreed as a result of Pay Commission's recommendations. It is impossible to get suitable Lino Operators on the existing scale of pay of Rs. 75-105. In order to avoid discontent amongst the existing Lino Operators, we will recruit the extra Operators required after their existing rate of pay is revised by the Finance Department on the report of the Central Pay Commission.

3. The monthly output by working the proposed double shift will be about 500 pages of double column in foolscap folio size. This can be increased to about 1,000 pages per month if the 6 Lino Machines which we have ordered for from U. K. about an year ago are received at an early date. The U. K. authorities may be able to supply these machines, if they could give a very high priority to the work.

4. If it is finally decided to print these files, we shall move the Finance Department to sanction the necessary staff. It is not possible to say for how long the extra staff will be required as it is dependent on the number of files to be received from the various Departments of the Government of India; but provisionally the staff may be recruited for a period of six months in the first instance.

Yours sincerely,
D. L. MAZUMDAR

P.V.R. Rao, Esq., I.C.S.,
Secretary,
Expert Committee No. I,
New Delhi

180

*H. M. Patel to M. A. Jinnah**F. 127/200*

SECRET

No. P.O.-26/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
17 July 1947

The undersigned is directed to circulate to the Members of the Partition Council for their information a copy of the instructions issued to Departments to make arrangements for the transfer of officers and staff at present located on the wrong side of the new borders to the areas they have elected to serve.

H. M. PATEL

*Enclosure 1 to No. 180**F. 127/201-2*

D.O. No. A-4(7)

GOVERNMENT OF INDIA,
PARTITION SECRETARIAT, NEW DELHI,
11 July 1947

Dear...

Will you please refer to our demi-official letter No. 14/P. O./1055, dated the 18th June 1947? You must by now have received from all Central Government servants their replies to the questionnaire enclosed therewith and have passed on the consolidated lists to your departmental sub-committees of Expert Committee No. I. As only 35 days remain between now and the appointed day for the transfer of power, we suggest that you should proceed at once to make arrangements for the transfer of officers and staff at present located on the wrong side of the new borders to the areas they have elected to serve. Where it is possible to replace officers and men who have expressed a desire to go over to Pakistan with those of the same grade who are at present serving in the Pakistan areas but wish to serve in the rest of India, the problem presents no particular difficulty. On the other hand, in cases, notably the Railways and the Military Accounts, where large bodies of men are likely to be affected by partition and the number of those who wish to go over to Pakistan may not exactly correspond in

each and every grade with those requiring to be transferred to rest of India, you may be faced with special difficulties and it may be found necessary to stagger the releases and transfers over a longer period.

2. The need for completing the transfers within the shortest possible time is of course obvious and we hope every possible step will be taken to deal with the problem with vigour and speed. At the same time, we wish to emphasize that care should be taken to see that the transfer operation is carried out in a manner so as not to imperil the efficiency of the governmental machine, or to cause undue hardship to the staff concerned. We suggest that it would be useful to draw up a programme for the proposed transfers and take steps to ensure that it is put into effect as smoothly and expeditiously as possible. We would be grateful to be furnished with a copy of the programme and to be kept periodically in touch with the progress of work in implementing it.

3. We would add for your information that a programme for the transfer to Karachi of the staff now serving in the Secretariat and Attached Offices at the headquarters is being drawn up by the Transfer Office and full particulars in respect of it will be furnished to you soon.

Yours sincerely,
H. M. PATEL
MOHAMAD ALI

¹Not available in QAP.

Enclosure 2 to No. 180

F. 127/203

D.O. No. A-4(7)

GOVERNMENT OF INDIA,
PARTITION SECRETARIAT, NEW DELHI,
15 July 1947

Dear...

Will you kindly refer to our demi-official letter No. A-4(7) of the 11th July 1947?¹ As your Departmental Sub-Committee has already drawn up a report on the organizational consequences of the partition and ought to be in a position to help in planning the proposed transfers to and from Pakistan, it is requested that it should be consulted before finalising the programme (referred to in para 2 of our letter

under reference). A copy of this programme may also please be sent to Secretaries to Expert Committee No. I for their information.

Yours sincerely,
H. M. PATEL
MOHAMAD ALI

Secretaries, Government of India, etc.
Secretaries of Expert Committee No. I

¹Enclosure 1.

181

Abdul Qaiyum Khan to M. A. Jinnah

F. 324/22

PESHAWAR,
17 July 1947

Respected Quaid-i-Azam,

I enclose herewith a letter from one of our students from Waziristan. It throws considerable light on the activities of the Ipi Faqir.

Yours sincerely,
ABDUL QAIYUM

PS. There is another one from Col. Shah Pasand. I know you are very busy. But Waziristan will claim our first attention.¹

¹Also see No. 68.

Enclosure 1 to No. 181

F. 1101/MFJ (Register)

VILLAGE HURMAZ, TEHSIL MIR ALI,
NORTH WAZIRISTAN,
29 June 1947

Dear fellow fighter for Pakistan,

Reference your card No. 247, dated 23rd June 1947¹ regarding my duty.

The Musalmans of Pakistan area should consider this information

of mine as a real voice of Waziristan. No propaganda—gross and mean—is unsuccessful if assisted by money. My Pakistani brothers should be confident of the sympathy and co-operation of those enlightened ones who are comparatively endowed with reason and insight, but they are only a limited number, and can do nothing to change the psychology of this *Sar Zamin-i-Be-Aien* [land without a constitution]. I have travelled throughout the northern zone of Waziristan, in order to find out the attitude of my countryfolk towards the Indian political parties, but the result was only disappointment. I had a rendezvous with the chief of Daur Tribe, who is President of the District Congress, Bannu. After a long discussion the chief had a parting with this remark: "I am a Congressite at Bannu, a no-party man at Waziristan, and might change if the Muslim League gain ground in the coming crisis." This remark is the real test to judge our people by. The following day I had another [meeting] with another chief, who was a little bit of a Muslim Leaguer. He said, "League is weak here, for it can't pay for the conscience of our people. We sell our conscience to the highest bidder." I think everybody knows about the famous crusader, i.e. Faqir of Ipi. His name is becoming agoraphobia [sic] for everyone. He is the dominating figure—but he too is led by his father-in-law, a staunch Congressite in principle and an agent, presumably of the Khan brothers.

MAULANA SHER ZAMAN DIES A NATURAL DEATH

Maulana Sher Zaman, brother of the great Crusader, breathed his last. His funeral ceremony was attended by all the people here, leading Congressites from Bannu and many from Khattak and Marwat areas. This meeting, says an informant, was the grandest in the history of Waziristan. All those present there took an oath of allegiance to the Faqir. The oratorical genius of Ipi's father-in-law had a full display, and the demagogy of Maulana Zahir Shah appealed greatly to the minds of the aforementioned people. You will be amazed to know that the Congressites had a comparative treatment at the hands of the Faqir and his colleagues. *Sanads* were issued for the protection of the people in Daur Area, as a new State, thoroughly independent, has been declared. The Faqir in the end in his emotional speech once again condemned the Muslim League and Congress equally. He is about to create a new state, including some portion of Pakistan. At the end of his speech, he announced that anybody found League [sic] is liable to the penalty of death. His final announcement goes as under:

1. Nobody is to participate in either Congress or Muslim League.
2. Nobody is to violate the peace of Hindus, for they have consented to pay the poll tax to me.

3. Muslim Leaguers in this area (according to the *Shari'at* of Waziristan) are to be devoured by the ravening [sic] wolves, who from time to time would tour the country to make enquiries.
4. A reward of Rs. 4,000 (Kabulis) for killing Habibullah Khan (a Leaguer) and a special protection for the family of the killer.
5. Anybody found sympathizing with the League is to be shot dead, and the killer would be styled as a *Ghazi*.

Dear friend, I have done what I could for the Muslim League in Bannu as well as in Waziristan. I did everything openly, but after this grand *jirga*, I have been seeing hostile looks trying to outstare and dishearten me from the enterprise I have undertaken so far. The "Intelligence" of the Faqir is active and no one is sure when and how he shall come to the end of his life. It is a great torture, rather a death agony, that I and my brothers are passing through. But I definitely assure you that Pakistan will always remain on our lips. We are living for Pakistan and we shall die for Pakistan. Deviation from the path of rectitude is unknown to a true Muslim. We shall always do our duty to God and the Muslim community. Many in their heart of hearts are Muslim Leaguers but they can do nothing openly for every tongue is a scorpion.

MISSION OF THE MULLAHS TO SOUTH WAZIRISTAN

All these *mullahs* are the true disciples of Maulana Hussain Ahmad Madani, who will leave for South Waziristan on Monday the 30th June 1947. These *mullahs* are in reality the second "selves" [of] Abul Kalam Azad and Hussain Ahmad Madani. The majority amongst them are the originators of the Crusade in Waziristan.

Khalifa-tul-Muslemeen Mir Hazar

The originator of crusade in Waziristan. He is the chief *Qazi* and settles petty disputes amongst the tribesmen on due charge.

Maulvi Khanmir Khan

Maulvi Qamer-ul-Zaman

A native of Bannu, who left his country in search for comparative fortune in Waziristan. He was the first and foremost harbinger of Congress in this area. He was also in partnership with "General Shadi Khel" the headstrong Crusader of the great *Mujahid*.

Maulvi Sardar

He is the fittest person for the psychology of Waziris.

Maulvi Moh[amma]d Zaman	The most enlightened person amongst all the above <i>mullahs</i> . His brother was shot dead on a trumped up charge by one of Ipi's crusaders.
Maulvi Moh[amma]d Rahim	A diploma-holder of Deoband, still a raw and inexperienced youth in the politics of this country.
Maulvi Moh[amma]d Din	They are those <i>mullahs</i> who in the name of Islam exploit the country.
Maulvi Abdul Khaliq	They are the contractors of <i>houris</i>
Maulvi Raz Mohammad	and paradise, little believing in the real truth of Islam themselves. They
Maulvi Moh[amma]d Din Shah	are living in a blissful repose and
Maulvi Khawaja Mir	enjoy the <i>shukranas</i> of Maulana
Maulvi Fazl Din	Hussain Ahmad Madani, side by side with the confidence of Faqir of Ipi.

CONCLUSION

Dear friend-in-arms, you might well charge me with timidity and lame excuses, but I hereby challenge anybody to contradict my statement with regard to this country. The work of Referendum² I know is the first and foremost duty, and I shall do that as well, but my duty was to distribute light in the darkness of my own country. It is not on the behest of the League's High Command, but that I owe something to my country. But what is the reward that I get, only a violent end of life. League-minded persons are treated with contempt. It is under such a state of affairs that I appeal to the sympathetic sense of my Leaguers (Brothers) not to ignore those who have offered a whole-hearted co-operation so far in this country. I am doing my duty and have a faith in the brilliant future of Pakistan, but Pakistanis should not be dazzled so much as to overlook the miserable state of Waziri Leaguers.

The Faqir of Ipi is planning a new state for himself and the clock of our progress would once again be put back by 60 years. Many killed and forgotten ones would come out of their graves to feed fat [*sic*] the ancient wrong on the sons and grandsons of the actual wrong-doers. Murder, theft, bloodshed and dacoities would become everyday occurrences. Demolished watch towers would once again raise their proud minarets to kill innocent ones. Every stone in Waziristan has become a reptile and would bite anybody speaking for Pakistan. Every crusader a fork-tongued snake, who with a mortal touch might send

many to the unknown past. I would request workers over here to give a side circulation to this letter of mine, so that our voice is audible enough to speak for in cause of future martyrs of Pakistan in here. It would be good enough if the circulation is done in an unknown way. I shall be waiting for the reply. Rest O. K. Adieu.

Long Live Pakistan!

Yours ever sincerely,
S. M. RASHID
B. A.

NB. Please send an envelope in place of a post-card or an open letter. It is better to keep the nuisance at an arm's length as much as possible. Let me know your true heart [sic] of this information.

¹Not available in QAP.

²The Referendum in NWFP was held from 6 to 17 July 1947.

Enclosure 2 to No. 181
Col. Shah Pasand Khan to Abdul Qaiyum Khan
F. 908/107

SOUTH WAZIRISTAN,
n.d.

On the 3rd July, 1947, a batch of *Mullahs* of North Waziristan Agency was sent to Kaniguram by Haji Mirza Ali Khan under the leadership of Mullah Sher Ali Khan and Qazi Amir Shah, with the instructions to hold *jirgas* with the Mahsuds of South Waziristan in Makin, Kaniguram and Torwam. When they reached Kaniguram, the Mahsud *Mullahs* came up to them and asked them to explain their mission. They demanded [of] Mahsuds to combine themselves with them in not accepting the Congress or Muslim League Governments. The Mahsud *Mullahs* plainly told them that though they are deadly against the British or Hindu Government but they cannot help to accept the Muslim rule of holy *Qur'an*, which is universal in East and West; and the Tochi *Mullahs* subsequently submitted to this award [sic].

Secondly, the North Agency *Mullahs* disclosed that the Mahsud *Mullahs* and the Mahsuds in general should promise to accept Haji Mirza Ali as their King, to which the Mahsud *Mullahs* flatly refused saying that the Mahsuds have already accepted the Father of Shahzada Fazal Din as their *Amir* and now they are not willing to accept someone else.

Colonel Shah Pasand wrote a letter to Shahzada Fazal asking him to order a big gathering of Mahsuds and to force the North Agency *Mullahs* to stay for an open discussion before the *jirga* or otherwise they should not visit the Mahsud Territory, without permission, on such like missions. The North Agency *Mullahs* sent in Mullah Khadin and Idak saying that they will come up for discussion on the following Friday. Subsequently, they sent Mullah Anwar Khan and Mullah Baland Shah saying that they would attend on Saturday, but staying for a night in Sultanah, they stealthily abandoned the Mahsud Territory without meeting Mullah Fazal Din. Col. Shah Pasand and Mullah Fazal Din sent letters to them that [they] must attend a *jirga* at Lattak. The Mahsud *Mullahs*, Shahzada Sahib and other Mahsuds gathered at Lattak but the North Agency *Mullahs* did not turn up. They only sent in Mullah Anwar and Qazi Amir Shah who disclosed that Mullah Sher Ali demanded on behalf of Haji Mirza Ali that the tribesmen should agree to this that they want a King—Amanullah Khan or any other member of his family.

After lengthy talks it was agreed that the tribesmen wanted a Muslim Government with *Shari'ah* Laws and disapprove the Congress or British Rule. They would all help with all their power to establish a Muslim Government. The following are the leading *Mullahs* and personalities who attended *jirga* and agreed to as above:

Qamar Zaman, Khalifa Mirza, Mullah Khozha Mir, Mullah Mir Khel, Mullah Moh[amma]d Hassan, Mullah Din Moh[amma]d, Mullah Falak Mohammad, Khalifa Isokhel, Mullah Mir Sahib Khan Abdulli, Mullah Abdul Haq, Mullah Hamidin, Mullah Zaman, Mullah Said Umar, Hadi, Mullah Habib Khan, Mada Amal, Mullah Noor U[ll] Islam, Mullah Mohammad Yaqub, Mullah Azim, Talib Jan, Mullah Azmellah.¹

Mullah Anawar, Mullah Amir Shah, Mullah Din Mohammad, Mullah Ahmad Gul, Mullah Jallandhar, Mullah Banat Khan, Mullah Said Shah, Mullah Ashraf Khan, Mullah Ghullam Hassan, Mullah Akbar Din and Mullah Hakim Gul.²

COL. SHAH PASAND

Langer Khel Mahsud of S[outh] W[aziristan] Agency

¹In the margin "NW" has been noted in the original.

²In the margin "SW Mahsuds" has been noted in the original.

182

W. P. Spens to M. A. Jinnah

F. 4A/1

FEDERAL COURT, NEW DELHI,
17 July 1947

Dear Mr. Jinnah,

Will you please let me have, as early as possible, to this address, the name of the colleague on the Arbitration Tribunal whose name is to be put forward by you.

Yours sincerely,
W. P. SPENS
Chief Justice of India

183

Maulvi Abu Sulaiman¹ to Zafar Ahmed Ansari

F. 846/38
[Extract]

17 July 1947

While I was in Delhi I received a call from the Frontier that Congress agents were touring Waziristan, doing propaganda against the Muslim League, [and that they] had succeeded in converting the Faqir of Ipi to their point of view² and that my presence in Waziristan was very essential.

When I reached Mount Girweek, the dwelling place of the Faqir of Ipi, I learnt that a deputation of the Frontier Jami'yyat al-Ulama had already met the Faqir who thereupon became a staunch enemy of Pakistan taking the Muslim League to be agents of the British, he now considers war against Pakistan as the greatest service of Islam. The Government of Afghanistan is also a party to this conspiracy. Its Minister of the Interior, Sardar Muhammad Farooq, called a special meeting of tribal representatives and persuaded them to support Pathanistan in combination with Afghanistan, the Khan Brothers and the Faqir of Ipi. He even directed them to kill any opponent of Pathanistan.

It was after the meeting of the Jami'yyat al-Ulama deputation with IPI that the latter ordered his General Abul Latif Khan to attack Miran Shah.

¹The following handwritten note appears at the end of the document: "He is now 80 years old, spiritual and political leader of Waziristan and has done tremendous service for the cause of League in an unostentatious manner."

²Also see Nos. 68 and 181.

184

M. N. Kotwal to M. A. Jinnah

Telegram, F. 910/346

KARACHI CITY,
17 July 1947

Mohammad Ali Jinnah, Esq., New Delhi

Everything ready.¹

[M. N.] KOTWAL

¹See No. 164.

185

Nawab of Bhopal¹ to M. A. Jinnah

F. 238/37-8

PERSONAL

BHOPAL, CENTRAL INDIA,
18 July 1947

My dear Quaid-i-Azam,

You received no message of congratulations from me on the occasion of your appointment as the G[overnor]-G[eneral] of Pakistan and this apparent omission on my part might perhaps be misunderstood. I am, therefore, writing just a line to tell you why I failed to send a message. To me and to the Muslim world your appointment as Governor-General means nothing. You are something far bigger and greater to us—your devoted and loyal admirers—than a G[overnor]-G[eneral] appointed by a foreign King. The nation showed its gratitude to you and its admiration when they gave you the title of Quaid-i-Azam.² That was everything. The Governor-Generalship I only regard as something by the way, something insignificant compared to what you are to the Muslims of India. To the Musalmans of India you are above 20 Governor[s]-General. This is the only reason why I did not write at once. If, however, I have been guilty of an omission, you have the right to deal with me as you like.

May God grant you long life, courage and strength to guide our destinies and may He spare you for many more years to establish

firmly and consolidate our Pakistan, and to bring to its people unity, strength, prosperity, peace and contentment.

My personal services will continue to be unreservedly at your disposal for what they may be worth. I shall always consider it an honour to work under you in any capacity you may demand. You will never find me wavering in my loyalty and devotion to you personally and to the cause you represent.

God bless you. With my devotion,

Yours very sincerely,
HAMIDULLAH

¹The letter was written on the personal letterhead of the Nawab having the following inscription: *Nasrun Minallah-i-wa Fathun Qarib* and Muhammad Hamidullah Khan in Arabic and Urdu, respectively.

²Maulana Mazharuddin Ahmad, editor of *Al-Aman*, New Delhi, had proposed on 10 December, 1938, that Jinnah be called Quaid-i-Azam by all Muslims. Later at the annual session of AIML (24-26 December 1938) at Patna, the cheering crowd shouted "Quaid-i-Azam". See Stanley Wolpert, *Jinnah of Pakistan*, Oxford University Press, Karachi, 1989, 165.

186

Conrad Corfield¹ to M. A. Jinnah

F. 2/228

SECRET

POLITICAL DEPARTMENT, INDIA,
NEW DELHI,
18 July 1947

Dear Mr. Jinnah,

In pursuance of our conversation on the 15th instant I made enquiries through the India Office and enclose a copy of the reply which I have received today. I will inform you of Mr. Weightman's reply as soon as I receive it.²

With kind regards,

Yours sincerely,
C. CORFIELD

¹Political Adviser to the Crown Representative.

²Weightman declined the offer of Governorship of Baluchistan. See Appendix VII.18.

Enclosure to No. 186
Secretary of State to Crown Representative
Cypher Telegram, F. 2/229

SECRET/IMPORTANT

2347-P/No. 9148

16 July 1947 (TOO¹ 2010),Received: 17 July 1947 (TOR² 1200)Corfield from Patrick.³

Your telegram No. 1976-P.⁴ Some delay in reply from Weightman must be expected as offer has been communicated through his banker and he is believed to be in Scotland.

¹Time of origin.²Time of receipt.³Paul Patrick, Assistant Under-Secretary of State, India Office, London.⁴Corfield in his telegram stated that Jinnah had requested him to ascertain whether Hugh Weightman, Secretary, External Affairs Department, Government of India, would accept an appointment as Governor of Baluchistan for one year and had asked Patrick to contact Weightman and find out his reaction. See No. 158, note 1, *TP*, XII, 221.

187

M. Inamur Rahim to M. A. Jinnah

F. 1056/18

DIRECTOR GENERAL OF CIVIL AVIATION, INDIA,
 NEW DELHI,
 18 July 1947

My dear Quaid-i-Azam,

You will remember Mr. Manuel A. Alzate who is now Secretary to the President of the Philippines Republic [*sic* for Senate]. I enclose for your information a letter which I have received from him today. You will be interested to know with what favourable impression of our activities he has left India.

The box of cigars, referred to by him, will be sent as soon as it is received.

Yours sincerely,
 M. INAMUR RAHIM
 I.C.S.

Director General of Civil Aviation

Enclosure to No. 187

F. 1056/19

CONGRESS OF THE PHILIPPINES,
OFFICE OF THE PRESIDENT OF THE SENATE,
8 July 1947

Dear Director General Rahim,

I wish to express to you my sincere appreciation and profound gratitude for the courtesies you have extended me during my brief stay in New Delhi. Although your beautiful city has been unkind to me for I suffered miserably from the intense heat, this was atoned for by the lively parties to which you had taken me. I wish you would do me the favour of assuring our hosts of my eternal gratitude for the kindness they have extended to me. I am looking forward to an opportunity to reciprocate their courtesies.

I am sending you a box of choice Philippine cigars and since you do not smoke, I hope you will present it to the great Muslim leader, the Honourable Jinnah, of whom you and I, are ardent admirers.

With best wishes and kindest regards, I am

Very cordially yours,
MANUEL A. ALZATE
Secretary to the President

M. I. Rahim, Esquire, I.C.S.,
Director General of Civil Aviation in India,
Talkatora Barracks, New Delhi, India

188

M. Iqbal Khan to M. A. Jinnah

F. 579/117-8

786¹

BLOCK NO. 6, SARGODHA,
18 July 1947

Most Respected and Beloved Quaid-i-Azam,

A letter addressed to you by *Hazrat Sahib Sajjada Nashin*,² Sial Sharif, is submitted herewith. *Hazrat Sahib* is President, District Muslim League,

Sargodha, and a *gaddinashin*³ of one of the leading *gaddis*⁴ of Western Punjab with thousands of disciples all over the country. He was the first *gaddinashin* to join Muslim League and made many sacrifices in our national struggle including a pilgrimage to jail [during agitation] against the Khizar regime. The letter is in Urdu and we could not render it in English. It is, therefore, submitted for favour of your consideration in original according to his wishes.

The two main points dealt [with] in the letter are, firstly, that he demands Shariat Law in Pakistan and, secondly, for this purpose he had requested you to set up an advisory committee of 'Ulama to advise the Constituent Assembly of Pakistan.

With best regards,

Yours affectionately,
M. IQBAL

¹It stands for *Bismillah 'ir Rahman ir Rahim*.

²Custodian of a shrine.

³Hereditary keeper of a shrine.

⁴A saint's tomb.

Enclosure to No. 188

F. 579/119-24

[Original in Urdu]

*Bismillah 'ir Rahman ir Rahim. Nahmaduhu wa Nusalli 'Ala
Habibihil Karim wa 'Ala Aalihi wa Ashabihi Ajma'een'
Pakistan Zindabad*

SIAL SHARIF,
DISTRICT SHAHPUR,²
PUNJAB,
17 July [1947]

*Bahuzoor Muhsin-i-Millat-i-Muslima Hazrat Mohammad Ali Jinnah
Sahib, Jazahullahu 'Anna wa 'An Saairil Muslimeen Ahsanul Jaza'*

[Submitted to Hazrat Mohammad Ali Jinnah Sahib, Benefactor of the Muslim community. May Almighty *Allah* reward you with the best of recompense for the service rendered to the Muslim nation.]

Assalaamo 'Alaikum wa Rahmatullahi wa Barakatuhu

After presenting my compliments I submit that Almighty *Allah* has been kind to the blessed community by filling your heart with feelings of compassion and love for it, causing the divided people to rally round a focal point and giving you indomitable courage despite all

temptations to unite the community and achieve freedom and high esteem, by the mercy and grace of Almighty *Allah* and His Apostle (peace be upon him). As a result, we find ourselves a free people today, having got rid not only of the influence of Judaism and Christianity but also that of Zoroastrianism. *Al Hamdu Lillahi 'Ala Zaliki* [for which *Allah* be praised].

It is our honest duty to thank you, our deliverer, from the core of our hearts. It will not be out of place, however, to state that the high purpose for which we joined the Muslim League and suffered all manner of hardships, renounced our landed properties, enormous wealth and comforts, honours and facilities granted to us by the government, snapped our old, deep and profitable ties, bore the sight of our children in tatters, and making do with *gur* instead of sugar [has not been realized]. While our neighbours and people elsewhere lived in dignity, luxury and plenty and the government departments danced to their tune, we were suffering in penury and vexation, scarcity and dishonour and incarceration, as if we were criminals.

We suffered all that not to acquire riches and wealth, power and pelf, name and fame because joining the Muslim League then meant asking for trouble. All this was endured so that the Muslim nation could enforce the inviolate laws of the holy *Qur'an* as revealed to the greatest benefactor of mankind, the Prophet of Islam (PBUH).

In the enforcement of and adherence to *Shari'ah* we would not be tainted by the evils of Judaism, Christianity, Zoroastrianism or Naturism. Nor can any contrary law stop us from following the path of *Shari'ah*. That is to say that Muslim League will be Muslims' League, free to pursue the course laid out before them by the beloved benefactor of mankind (PBUH). We had joined the Muslim League believing that it will lead to the creation of Pakistan which will be governed by the Divine Law of the Creator of Man, endowed with a thinking mind and a feeling heart, and Who knows the reality of what is good or evil for Man. We anticipated a place which will be free from the products of Man's imperfect mind, inhuman culture of Judaism and Christianity, evil concepts of atheism and naturism, and criminal propensities. We visualized a Pakistan where universal laws will be enforced to combat and eradicate evil and crime, immorality, and prostitution.

As Muslims, we can never ignore this Divine edict:

Wa Man Lam Yahkum Bima Anzalallahu Faoolaaika Humul Kafiroon. Wa Man Lam Yahkum Bima Anzalallahu Faoolaaika Humul Fasiqoon. Wa Man Lam Yahkum Bima Anzalallahu Faoolaaika Humuzzalimoon (Al *Qur'an*).

[Those who command or decide otherwise than in consonance with

Divine Injunctions are infidels, transgressors and oppressors.] And similarly:

Falyahzarallazina Yukhalifuna 'An Amrihi 'An Tuseebahum Fitnatun Aw Yuseebahum 'Azabun Aleem.

[Those who disobey the orders of the Prophet of God must beware, lest a horrible mischief or a terrible punishment be visited upon them.]

And now when, by the mercy and grace of Almighty *Allah*, we have shaken off man-made laws from our culture and society and we have been given the free choice to opt for the Divine Law and the *Sunnah*, we cannot but enforce them.

When the laws are obligatory for all nations under all circumstances, and when we have got the authority to enforce these in Pakistan, there is no reason why we should, ungratefully, impose the same un-Qur'anic commands and non-*Shari'ah* laws to get rid of which we have undergone so much trouble and tribulation. Who would not understand that the new State would only then be Pakistan and not otherwise.

I challenge that no mundane law can be as efficacious as the sacred *Shari'ah*. In the light of the above, I request and expect a high personage like you to constitute a group of 'Ulama, well-versed in *Shari'ah* who will form part of the Constituent Assembly so that the laws to be enforced are framed on their advice. This body of 'Ulama will be the moving spirit for the survival of Pakistan, and will easily check adverse propaganda, conspiracies, and subversive activities of the enemy. This body alone can and will eradicate conspiracies hatched in the name of *Shari'ah*.

The sun of the *Shari'at-i-Mohammadia 'Ala Sahibihis Salaatu was Salaam* [peace be upon him] has been shining for more than thirteen hundred years, but some myopic and short-sighted persons did not even attempt to benefit from this sacred light. The fact, however, remains that its radiance, need, blessings, and benefits are ever present and shall remain so till the Day of Judgement.

Meanwhile many an artificial flood-light was put up in a futile effort to bedim the natural glow of the sun, but these artificial lights proved not only needless but ineffective and harmful. Such is the miracle of this sacred *Shari'ah* that whoever pondered any aspect of it was convinced of its truth, its universality, and its blessings for mankind. Opinions of European scientists and scholars can be presented in its support and some of them indirectly held it to be essential for supremacy and survival of the human race. How, then, can a Muslim voluntarily abstain from such sacred laws being enforced in his country and yet remain a Muslim? After all, a Muslim is one who regards it as essential to adhere to the *Shari'at-i-Mohammadia 'Ala Sahibihis Salaatu was Salaam*.

Otherwise, what is the difference between a Muslim and a non-Muslim, and what is the need for erecting a boundary between India and Pakistan? Without Islamic attributes, no colour, region or language can make a difference between Pakistan and non-Pakistan.

Human attributes are universal and no difference or discrimination can be created between man and man. The Muslim League can claim to be Muslim League only if it comprises Muslims. And one can claim to be a Muslim only if he possesses the attributes of Islam.

I hope that my sincere submission will be accepted and that the Constituent Assembly will be set up under the guidance of those who possess true insight into the sacred *Shari'ah*.

Wassalaamo 'Alaikum

MOHAMMAD QAMAR-UD-DIN
Sajjada Nashin

¹In the name of Allah, the Beneficent, the Merciful. We praise Him and salute His Gracious Beloved (Messenger) as well as his all family members and companions.

²See Enclosure 1 to No. 1, note 29.

189

Louis Mountbatten to M. A. Jinnah

F. 2/226

No. 6965

THE VICEROY'S HOUSE, NEW DELHI,
18 July 1947

Dear Mr. Jinnah,

Corfield has spoken to you about the Mir of Khairpur and the need to depose him because of his insanity. I have just approved final orders on this matter, and enclose a copy of a Press Communique which is going to be issued.

Yours sincerely,
MOUNTBATTEN OF BURMA

Enclosure to No. 189

F. 2/227

DRAFT PRESS COMMUNIQUE

H. H. Mir Faiz Muhammad Khan Talpur, Mir of Khairpur, a 17-gun salute State in Sind, who was born in 1913 and succeeded as Ruler of Khairpur in 1933, has for some time been insane. He was not excluded

from the succession on this account since it was hoped that he might recover; and for this purpose he has been placed under the care of a guardian outside the State and examined from time to time by medical experts. His mental health has, however, unfortunately deteriorated and he is certified to be suffering from dementia praecox beyond any possibility of recovery.

In these circumstances H. E. the Crown Representative has regretfully decided that it is necessary to depose H. H. Mir Faiz Muhammad Khan Talpur, and His Majesty the King, Emperor of India, has recognised the succession of H. H. Mir George Ali Murad Khan Talpur, his son, who is 14 years old. The new Mir will be formally installed at an early date by the Resident for the Punjab States; during his minority, there will be a Board of Regency composed of near relations of the Ruler.

190

Louis Mountbatten to M. A. Jinnah

F. 2/230

[No.] 1446/16

THE VICEROY'S HOUSE, NEW DELHI,
18 July 1947

Dear Mr. Jinnah,

I enclose herewith copies of two letters which I have written to Mudie and Jenkins to give effect to the wishes you have expressed.

Yours sincerely,
MOUNTBATTEN OF BURMA

Enclosure 1 to No. 190

F. 2/231

[No.] 1446/16

18 July 1947

My dear Mudie,

Mr. Jinnah has asked me to inform you that he would like you to arrive in Lahore about a week before you take over from Jenkins [as Governor] for the Western Punjab. He would like this both because of the complications in the Punjab situation, and because he would like to move into Government House, Karachi, several days in advance of August 15th.

2. I am afraid that it is not possible for you to take joining time, although it might be possible to arrange for you to be on special duty in Lahore for the required period.

3. If, however, you can carry on Sind affairs for the last week from Lahore, you could remain Governor of Sind up till the 14th evening.

4. Will you please let me know whether you consider this practicable as otherwise special provision for your appointment on special duty will have to be made.

Yours sincerely,
MOUNTBATTEN OF BURMA

H. E. Sir Francis Mudie, K.C.B.I., K.C.I.E., O.B.E.,
Governor of Sind

Enclosure 2 to No. 190

F. 2/232

[No.] 1446/16

19 July 1947

My dear Jenkins,

Mr. Jinnah wishes that Mudie should arrive in Lahore at least a week before he has to take over from you. He wants this both because of the complications in the Punjab and because he himself wishes to move into Government House, Karachi, in advance of August 15th.

2. I am consulting Mudie as to how best this can be done, but meanwhile you will perhaps get in direct touch with him about the date of his arrival. He can probably carry on as Governor of Sind till the 14th, even though he is in fact in Lahore.

Yours sincerely,
MOUNTBATTEN OF BURMA

H. E. Sir Evan Jenkins, K.C.S.I., K.C.I.E.,
Governor of the Punjab

191

Louis Mountbatten to M. A. Jinnah

F. 2/233

No. D. 6975

THE VICEROY'S HOUSE, NEW DELHI,
18 July 1947

Dear Mr. Jinnah,

I sent you a copy of my telegram No. 1979-S¹ of 15th July to the

Secretary of State about a passage in the speech by Mr. Henderson² in regard to the terms of reference of the Boundary Commission.

I now enclose a copy of the Secretary of State's reply, of which I have given a copy also to Sir Cyril Radcliffe.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 156. Also see No. 121, *TP*, XII, 179.

²Arthur Henderson, Parliamentary Under-Secretary of State for India and Burma.

*Enclosure to No. 191
Secretary of State¹ to Viceroy
Cypher Telegram, F. 2/234*

SECRET/IMPORTANT
O.T.P. 2339-S/No. 9156

[INDIA OFFICE,]
16 July 1947 (TOO 2255)

Received: 17 July 1947 (TOR 0930)

Your telegram 1979-S of 15th July 1947.² I report below relevant passage from Henderson's speech which differs in some important respects from version given you by Jinnah and Liaquat: *Begins*. The provision that other factors³ will be taken into account has been made by Prime Minister to enable the Commission to have regard to special circumstances of Sikh community in Punjab where considerations such as location of their religious shrines can reasonably be taken into account up to a point. I would however emphasize to Committee that it is for Commission itself to decide what are other factors and how much importance should be attached to all or any of them. *Ends*.

¹Also see No. 144, *TP*, XII, 201-2.

²No. 156.

³See Introduction, Vol. II, xi; Enclosure to No. 100, item 2, 182, *ibid*. Also see Enclosure to Annexes I & II to No. 312, *ibid*.

192

*H. M. Patel to M. A. Jinnah**F. 127/204*

No. P.O. 26/P.C. 147

GOVERNMENT OF INDIA,
PARTITION OFFICE, NEW DELHI,
18 July 1947

In continuation of this Office Memorandum No. P.O. 25/PC/47,¹ dated the 17th July, 1947, the undersigned is directed to forward herewith a copy of the papers relating to item 6² of the agenda for the meeting of the Partition Council called for *10 a.m. to-morrow, the 19th July.*³

H. M. PATEL

¹No. 179.²Enclosures 1 to 4.³Underlined in the original.*Enclosure 1 to No. 192**F. 127/205*

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
REPORT OF THE HOME DEPARTMENT SUB-COMMITTEE
ON ITEM 1(a) (i) OF THE TERMS OF REFERENCE
OF EXPERT COMMITTEE NO. I¹

A copy of the report of Home Department Sub-Committee,² as also of the observations of Expert Committee No. I thereon,³ is forwarded herewith. The Steering Committee consider that it is not possible to take a final view of the staff requirements of the two Governments. It is however recommended that immediate administrative action, particularly in regard to the staffing of Pakistan offices, may be based on the recommendations contained in the Sub-Committee's report as modified by Expert Committee No. I.

2. The Steering Committee also agree that the Secretariat of the Governor-General (Public) may be abolished and its work distributed on the lines recommended by the Sub-Committee in para (c) of its report.

¹See Enclosure 1 to No. 121, Vol. II, 270-1.²The Home Department Sub-Committee report dealt with the staffing pattern of its Secretariat and Offices subordinate to it, namely All India Administrative Training School, Federal Public Service Commission, Intelligence Bureau and Special Police Establishment; and the Secretariat of the Governor-General (Public). The report also dealt with the division of furniture, office equipment and records. It stipulated that with the abolition of the

"General supervision by the Governor-General over acts of Governors in their individual judgement or discretion, the Secretariat of Governor-General (Public) will be left with (a) mercy petitions, (b) appointment of High Court judges; their conditions of service, (c) Administrative responsibility for Federal Public Service Commission, (d) Governors' Allowances and Privileges Order, (e) cases dealing with conditions of service of individual officers of Secretary of State's Services (there being duplication between Home Department and Governor-General's Secretariat), (f) assent to Provincial Bills where Governor-General's assent is required". The staff was to be divided in proportion of 2:4 between Pakistan and Rest of India, and it was stated that staff provided to the Home Department of Pakistan Government was considered adequate to deal with the work. But the Muslim members demanded three Deputy Secretaries and five Under/Assistant Secretaries to which Hindu members were not agreeable. As regards Stenographers, Muslim members demanded nine for nine officers but Hindu members recommended only six. The Secretariat of the Governor-General (Public) was recommended to be abolished. See F. 127/206-22, QAP. Not printed.

In connection with distribution of furniture and equipment, the following notes were made by the Sub-Committee:

- a. The Muslim members contend that it will be impossible for the new office to function without a duplicator and one of the two duplicators should be given to them. The two duplicators in the Home Department are fully occupied and it will be impossible for the Department to spare any of them without serious detriment to efficiency. [See F. 127/217, *ibid.*]
- b. The Muslim members claim that for the office staff proposed by them 40 typewriters will be necessary and that 40 typewriters should be made available.... All the typewriters in the Home Department are fully occupied.... the number of typewriters that will be surplus will only be 16 and while it will be difficult to spare these typewriters the non-Muslim members are prepared to agree to spare them.... Of these typewriters [belonging to the Secretariat of the Governor-General (Public)].... 16 can be made available to the Pakistan Government. The Pakistan Government will then have 32 typewriters. [See F. 127/218, *ibid.*]
- c. The Muslim members consider that under item 5 [tables], 7 [chairs], 52 [bicycles] it should be possible to make a higher allotment to the new Government; under item 27 [table lamps] and 32 [Roneo cabinets], it should be possible to make some allotment to the new Government... while item No. 54 [staff car] may be retained by Government of India, item 55 [motor cycle] should be attached to new Home Department. [See F. 127/218, *ibid.*]

³The Expert Committee No. I had made the following recommendations while forwarding the report of the Sub-Committee to the Steering Committee:

- a. The number of Deputy Secretaries and Under-Secretaries in the proposed set-up for the Pakistan Secretariat might be reduced to two and four, respectively,
- b. The Home Department of the Government of India should take over the work of the Secretary of the Governor-General (Public) and should be provided with only one Under-Secretary for this purpose; the remaining posts in the Secretariat of the Governor-General (Public) being abolished.

Orders of the Partition Council were solicited by the Expert Committee No. I on following points:

- i. Organization proposed for the Intelligence Bureau and Special Police Establishment in Pakistan and the Rest of India.

The Sub-Committee had recommended that the two subsidiary Bureaux of Intelligence Bureau located at Peshawar and Quetta as well as the C.I.O.'s offices at Lahore and Karachi be taken over by Pakistan. As C.I.O.'s office at Calcutta was recommended to be taken over by India, establishment of a separate C.I.O.'s office in East Bengal was recommended. As out of six circles of Special Police Establishment, only one at Lahore fell within Pakistan areas, it was recommended that the Lahore office be raised to the status of the Special Police Establishment for Pakistan. As cases in

East Bengal were only 5 in Court or under investigation, it was suggested that local East Bengal Police should take charge of those cases. See F. 127/210-2, QAP. Not printed.

- ii. The proposals to abolish the Secretariat of the Governor-General (Public) and for the distribution of its work. [See F. 127/206, *ibid.*]

Enclosure 2 to No. 192

F. 127/223

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
REPORT OF THE INFORMATION AND BROADCASTING
DEPARTMENT SUB-COMMITTEE ON
ITEM (a) (i) OF THE TERMS OF REFERENCE OF
EXPERT COMMITTEE NO. I¹

A copy of the report of the Information and Broadcasting Sub-Committee,² as also Expert Committee No. I's observations thereon³ is attached herewith. The only point on which the Partition Council's orders are required at this stage relates to the set-up proposed for Pakistan. The Steering Committee have considered this point and recommend that immediate administrative action in this connection may be based on the set-up recommended by the Sub-Committee in Appendix II,⁴ as modified by Expert Committee No. I. The vacancies arising in the Government of India as a result of the transfer of the personnel opting for Pakistan should not however be filled up for the present save in extremely exceptional circumstances.

¹See Enclosure 1 to No. 121, Vol. II, 270-1.

²The report of the Sub-Committee No. 8, prepared by P. C. Chaudhuri, A. S. Bokhari and Mohammad Sabir dealt with various categories and grades of staff of Information and Broadcasting Department, including External Publicity and Advertising Branch as well as attached offices, viz. Press Information Bureau, Publication Division, and All India Radio. Lists of office equipment, furniture, records, documents, agreements, books, etc., were attached. Differences of opinion between the Muslim and Hindu members of the Sub-Committee are mentioned below verbatim:

- a. On the question of the division of transmitters, differences of opinion have arisen in Departmental Sub-Committee No. 2 dealing with assets and liabilities of All India Radio which have been referred to Expert Committee No. II.
- b. A disagreement has arisen between the representatives of Pakistan and India on the question of division of this equipment. Mr. Bokhari contends that besides, and prior to, physical division, the shares of the two States should be determined after taking into account the requirements of both the States and the shortages, if any, should be shared by both. Mr. Chaudhuri has been unable to accept this view and has expressed the opinion that this Sub-Committee is concerned with physical division between the two Governments... The physical division in favour of Pakistan suggested by the representative of India... has not been accepted by the representatives of Pakistan who as stated above consider that the division should be made of all the office equipment etc. on the basis of the comparative office requirements of the staff proposed for each State by its representatives on the Committee.

- c. The representatives of Pakistan however wish to add the rider that the lists relating to AIR records whether in I and B Department or AIR will have to be re-examined after a decision has been reached in regard to the division of transmitters and staff as there are some important records of AIR which relate to transmitters.
- d. The representative of India has indicated the books which in his opinion may be divided; where duplicate copies are available these have been suggested for transfer to Pakistan. The representatives of Pakistan, however, feel that the division should be on a fifty-fifty basis....
- e. The representatives of Pakistan consider that no recommendation in regard to staff of this organisation can be made untill [*sic*] the question of division of transmitters between the two States is settled... [See F. 127/226-35, QAP. Not printed.]

²The observations made by the Expert Committee No. I were as follows:

- a. The staff proposed for the Pakistan Secretariat should be limited to one Deputy Secretary and one Under-Secretary.
- b. As regards the staff proposed for the Press Information Bureau of the Pakistan Government, it should be possible to reduce the number of Deputy Principal Information Officers to three and to replace the two posts of Administrative Officer in the same office by one post of Assistant Administrative Officer.
- c. No proposals have been formulated by the Sub-Committee regarding the staff of Pakistan equivalent of the All India Radio on the ground that this could not be done until a decision has been taken regarding the transmitters to be allotted to the Pakistan Government. [See F. 127/224-5, *ibid.* Not printed.]

⁴See F. 127/230-5, *ibid.* Not printed.

Enclosure 3 to No. 192

F. 127/236

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE REPORT OF THE AGRICULTURE AND FOOD DEPARTMENT SUB-COMMITTEE ON ITEM (a) (i) OF THE TERMS OF REFERENCE OF EXPERT COMMITTEE NO. I

A copy of the report of the Agriculture and Food Department Sub-Committee, as also of Expert Committee No. I's observations¹ thereon, is attached herewith. (Appendices relating to furniture, office equipment, records and options have been deleted as the problems connected therewith are receiving the attention of Expert Committee No. I, separately).

2. The Steering Committee consider that it is not possible at this stage to take a final view of the staff requirements of the two Governments. It is however recommended that the proposed set-up for the Attached and Subordinate Offices of the Agriculture and Food Departments of the Pakistan Government may be generally approved and immediate action in regard to the staffing of Pakistan offices may be based on it....

3. The Steering Committee also recommend that the offices of Regional Food Commissioners in Western Punjab should be abolished with effect from the 15th of August. Liaison arrangements with Pakistan will however continue to be necessary after that date.

¹Annexure I.

*Annexure I to Enclosure 3 to No. 192**F. 127/237-8*

No. 1/1/E.C.(I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
14 July 1947

MEMORANDUM

Subject: Report of the Agriculture and Food Department Sub-Committee on item (a) (i) of the Terms of Reference of Expert Committee No. I.

A copy of the Report, dated the 4th July 1947, of the Agriculture and Food Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference is forwarded herewith.¹ Expert Committee No. I has examined the report and accepts the recommendations made therein subject to the following comments:

- a. As regards the set-up proposed for Pakistan, the Committee agrees that the two Departments of Agriculture and Food should be amalgamated. It was, however, felt that the provision for Attached and Subordinate Offices was excessive and needed careful consideration by the Pakistan Government. The Committee was in general agreement with the views expressed by Mr. Aziz Ahmad in Appendix V² to the Sub-Committee's report and felt that every effort should be made to avoid duplication of the activities of Provincial Governments at the Centre. If the Agriculture and Food Departments of Provincial Governments perform their functions properly, there should [be] no necessity for an elaborate organisation at the Centre and a small Secretariat with a few expert advisers should be sufficient. If, however, the set-up proposed for the Attached Offices of the Pakistan Government is accepted, then the Secretariat would have to be strengthened by the upgrading of one of the four posts of Deputy Secretary to that of Joint Secretary.
- b. As the volume of food purchases on behalf of the Army would not be very large it was felt that an independent food purchase organization was unnecessary and that the work might be assigned to the Purchase Wing of the Directorate-General of Industries and Supplies as was the position in India before 1943.
[Para (c) making recommendations for the Rest of India omitted]

- d. The Committee did not see the need for setting up a Regional Food Commissioner's organization for the purpose of liaison work with the Pakistan Government. This work could be performed by the Director-General, Food, with the assistance of Indian representative in Pakistan.
2. The orders of the Partition Council are requested on the following points:
 - a. The proposed set-up for the Attached and Subordinate Offices of the Agriculture and Food Departments of the Pakistan Government.
 - b. The proposal of the Sub-Committee to establish a Regional Food Commissioner's Office for liaison work in Pakistan.

P.V.R. RAO

M. AYUB

Secretaries

The Steering Committee

H.M. Patel/Mohamad Ali

The Sub-Committee, consisting of S. Y. Krishnaswamy, B. R. Patel, Aziz Ahmed and M. M. Junaid, divided the work of the Sub-Committee into three sections, namely:

- (i) Headquarters Offices and Attached Offices
- (ii) All technical Institutes, and
- (iii) The ICAR and the Commodity Committee in respect of which specific and separate directive had been given.

The Sub-Committee submitted its report on item (i) above, on 4 July 1947. Aziz Ahmed and M. M. Junaid defining the functions that were performed by the Agriculture and Food Departments, recommended different categories of staff for employment in Pakistan, deleting the special staff for irrigation, animal husbandry and dairy development, fisheries and forest development, which were to be dealt with under advice by the Council of Food and Agriculture. One Deputy Secretary, one Under-Secretary, a Fertilizer Adviser and a Marketing Officer along with eleven officers of Marketing Office opted for Pakistan. M. M. Junaid disagreeing with Aziz Ahmed suggested appointment of a Joint Secretary in the Food and Agriculture Secretariat, which was agreed to by Hindu members.

The Hindu members were not willing at all to spare office furniture and equipment for Pakistan and referred the matter to Expert Committee No. I to consider "whether the needs of the new Pakistan Department could be met from surplus office equipment, if any, available in other Departments". The Muslim members made the following dissenting note:

We have tried to induce our colleagues to give us a share of the office equipment of the Food and Agriculture Departments and their subordinate offices based on our *minimum* equipments as set out in Appendix IV [not printed] to our report on organisation. We have pleaded with them for over four days to accept our proposals in as much as in the prevailing food situation it is in the interest of the Food Secretariat of Hindustan as in that of the Pakistan Government that the Food Secretariat of that Government should work smoothly from the very beginning. We have also represented to our colleagues that it is not our intention to reduce the equipment available to the Hindustan Secretariat to a level at which that Secretariat could

not work with efficiency. We have also argued that cooperation in this field will inspire cooperation in other fields. We have suggested that we are even willing not to claim those articles which are not entirely indispensable. But we have found to our surprise and our dismay that these arguments have failed to move our colleagues who are not prepared to spare any article of equipment as a decision taken between ourselves. They have, therefore, remitted this question to Committee I in order that that Committee may, after taking into consideration the over-all requirements of the Pakistan Secretariat and the supplies available to the Hindustan Secretariat, indicate the extent to which office equipment may be spared for the former.

Aziz Ahmed referred to "a marked recent tendency on part of the Centre to arrogate to itself functions which properly belong to Provinces" resulting not only in slowing down the pace of agricultural development and creating friction between the Centre and Provinces but also in waste of technical manpower. Pakistan in his opinion "could not afford to engage high-powered technical advisers at the Centre for performing functions carried out better by Provinces."

Following statements were appended to the Report:

- i) Statement showing the number of officers and staff of the Department of Agriculture, Food and the Attached and Subordinate Offices (excluding Commodity Committees) who have elected to serve in Pakistan or Rest of India.
 - ii) Statement showing the number of some of the more important articles of furniture and office equipment in the Departments of Food and Agriculture and their Attached and Subordinate Offices excluding Commodity Committees.
 - iii) Statement showing the number of records considered as of interest to Pakistan and of common interest.
 - iv) Statement showing the names of officers who had elected to serve both in Pakistan and Rest of India. See F. 127/238-62, QAP. Not printed. Also see Annexure II.
- ²See F. 127/262, QAP. Not printed.

Annexure II to Enclosure 3 to No. 192

F. 127/263

STATEMENT SHOWING THE NAMES OF OFFICERS WHO HAVE ELECTED TO SERVE BOTH IN PAKISTAN AND REST OF INDIA

Name of Deptt. or Office	Name of Officer	Post held	Remarks
Department of Agriculture	Sir Pheroze Kharegat, C.I.E., I.C.S.	Secretary to the Government of India, Department of Agriculture	He has elected to serve finally both in Pakistan and Rest of India, with the following marginal remark, "I prefer to serve in the Rest of India but am willing to serve in Pakistan if so required."
Department of Agriculture	Major G. Williamson	Animal Husbandry Commissioner	

*Enclosure 4 to No. 192**F. 730/93*

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
REPORT OF THE AGRICULTURE AND FOOD DEPARTMENTS
SUB-COMMITTEE ON ITEM (a) OF THE TERMS OF
REFERENCE OF EXPERT COMMITTEE NO. I

A further report¹ dated the 19th July 1947 from the Agriculture and Food Department's Sub-Committee regarding some of the institutions and offices under the administrative control of the Agriculture Department,² as also the comments of Expert Committee No. I³ thereon, is appended. Of the organizations mentioned in the report, the following are covered by the decisions already taken by the Partition Council on the facilities to be provided at "unique" institutions:⁴

- a. Fruit Development Scheme
- b. Central Agricultural Machinery Bureau
- c. Research Institute, Dehra Dun
- d. Indian Dairy Research Institute
- e. Indian Veterinary Institute at Mukteswar and Izatnagar
- f. Forest Research Institute
- g. Indian Agricultural Research Institute

No further action in regard to the above institutions is necessary.

2. On the following items, the Sub-Committee's report, as modified by Expert Committee No. I⁵ be accepted:

- a. The organization proposed for the Pakistan Survey Organization
- b. The Central Ground Water Organization
- c. Geological Zoological Survey of India
- d. Locust Control Organisation
- e. Fisheries

3. As regards Botanical and Geological [Zoological] collections, it is recommended that the agreed recommendations of the Sub-Committee⁶ be accepted.

¹For the previous Report, see Enclosure 3.

²Annexure I.

³Annexure II.

⁴For "unique" institutions, see Enclosure to No. 170, Case No. 43/5/47.

⁵Annexure II.

⁶Ibid.

*Annexure I to Enclosure 4 to No. 192**F. 730/5*

[19 July 1947]

REPORT OF THE DEPARTMENTAL SUB-COMMITTEE FOR
AGRICULTURE AND FOOD TO EXPERT COMMITTEE NO. I

Our first report to Expert Committee No. I dealing with the Departments of Agriculture and Food and the Central Marketing Department was forwarded with the Agriculture Department O.M.No. D.237-Partition/47 dated the 4th July, 1947.¹ The present reports² deal with the following Institutions and Schemes:

A. INSTITUTIONS

1. Fruit Development Scheme
 2. Central Agricultural Machinery Bureau
 3. Survey of India
 4. Indian Dairy Research Institute
 5. Indian Veterinary Research Institute
 6. Central Ground Water Organization
 7. Forest Research Institute and Colleges
 8. Zoological Survey of India
 9. Locust Control Organizations
 10. Indian Agricultural Research Institute
 11. Fishery Stations
 12. Libraries under the Department of Agriculture and Food
- Indian Council of Agricultural Research (I.C.A.R) and the Commodity Committees

In addition to the institutions mentioned above there are the following institutions which have not been covered by our report:

1. Potato Research Institute
2. Botanical Survey of India (excluding library dealt with separately)
3. Central Rice Institute
4. Central Agricultural College

These are either small institutions or institutions in the process of formation and it is not proposed to make any changes in their existing organization or immediately to set up similar institutions in Pakistan. We do not consider that a separate report is necessary in respect to them.

S.Y. KRISHNASWAMY
AZIZ AHMED
B.R. PATEL
DR M.M. JUNAID

¹See F. 127/239-49, QAP. Not printed.

²See F. 730/6-92, *ibid.*

*Annexure II to Enclosure 4 to No. 192**F. 730/1-4*

IMMEDIATE
NO. 1/1/E.C.(I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI-3,
25 July 1947

MEMORANDUM

Subject: Report of the Agriculture and Food Departments Sub-Committee on item (a) of the Terms of Reference

In continuation of this Committee's memorandum No. 1/1/E.C. (I), dated the 14th July,¹ 1947 on the above subject, a further report dated the 19th July,² 1947 from the Agriculture and Food Departments Sub-Committee regarding the organization of certain institutions and offices under the administrative control of the Agricultural Department is forwarded herewith. The Committee has considered the report and its recommendations are as follows:

(a) *Fruit Development Scheme*: It is understood that this scheme will be covered by the general orders which the Partition Council is considering regarding "unique" institutions.

[The Sub-Committee had stated that Fruit Institute at Lyallpur [Faisalabad] belonged to ICAR and the equipment might be left in Pakistan subject to legal decision regarding assets of ICAR. See F. 730/6-7, QAP. Not printed.]

(b) *Central Agricultural Machinery Bureau*: The proposals made by the Sub-Committee were accepted with the modification that the 16-ton trailer should be on loan to the Pakistan Government for a period of one year.

[The Sub-Committee had agreed that (a) Central Workshop of the Bureau might continue to remain in India, (b) of the "remaining equipment" Pakistan be supplied 20 tractors including 3 new, 4 motor graders, 3 mobile workshops, 3 supply trucks, 28 mechanics tool kits, 2 bulldozers (D-6), if available, one 16 ton trailer on loan, 1 jeep and spare parts in proportion to equipment given. The equipments were to be shifted to Lahore to Tractor Rehabilitating Army Workshop with one mobile workshop to be sent to Bengal. See F. 730/8-9, *ibid.*]

(c) *Survey of India*:

(i) The organization proposed for the Pakistan Survey Organization is accepted subject to the modification that it might not be necessary

for the small Pakistan cadre to have high ranking officers such as Surveyor-General and Deputy Surveyor-General, and it might be possible to place the Survey Organization in charge of a Director. [The set up suggested by the sub-committee for Pakistan consisted of a Surveyor-General, Deputy Surveyor-General, eight Superintendents, five Assistant Superintendents, besides Class II and subordinate staff along with a Manager, two Assistant Managers and ten Supervisory staff for map publication section. See F. 730/1 and 10-17, *ibid.*]

- (ii) The division of stores and equipment is a matter for Expert Committee No. II to whom an extract of para. 5 of the Sub-Committee's report is being sent.

[The Sub-Committee had agreed to give stores and equipment as required by Pakistan provided that (a) Indian Survey Department was not short of it and (b) overall share of Pakistan did not exceed 4/15ths of the total stores and equipment owned by the Department. See F. 730/12, *ibid.*]

- (iii) *Research Institute, Dehra Dun*: It is understood that this will be covered by the general instructions the Partition Council are proposing to issue.

[The Hindu members of the Sub-Committee, S. Y. Krishnaswami and B.R. Patel, noted:

"There is a difference of opinion among us as regards the Survey Research Institute in Dehra Dun... two alternative arrangements are possible. In the first place, the Institute can be jointly run for both Pakistan and India. In the second place, India can undertake to do the work for Pakistan on certain agreed conditions. Messrs Aziz Ahmed and Junaid are of the opinion that a joint organization is both necessary and possible. We do not agree with this view."

A minute of dissent in regard to this Institute by Messrs Aziz Ahmed and Junaid follows:

"The work carried out by this Institute is highly specialized. The staff are all mathematicians and almost without exception Hindus. The equipment used at this Institute is either unavailable or extremely difficult to obtain. At the same time the work conducted at this Institute is vital to the conduct of survey operations and it is essential that Pakistan must be assured that its research problem will be handled speedily and efficiently.

"We do not consider that the proposal of our colleagues, namely that India should undertake to do the necessary work for Pakistan but without allowing Pakistan any effective voice in the management of

this Institute or in the programming of its work, would give Pakistan that assurance. In fact, as pointed out by the Surveyor-General, the work of this Institute is already in arrears. It would, therefore, be quite easy and perhaps natural for India to turn down requests from Pakistan for a solution of its problems on the ground that the staff at the Institute was occupied with other, in their opinion, more urgent work.

"The reason for suggesting that the Institute should be divided is that in that case both Pakistan and India would be dependent for the conduct of survey research on each other and, therefore, one country would extend to the other the same consideration in treating research problems as it expected to obtain from it. The assertion of our colleagues that no part of the Institute could be transferred to Pakistan because personnel to operate it will not be available is not correct. Pakistan shall find the staff, if necessary from abroad, until its own nationals are trained.

"As regards financial responsibility, we suggest that it should be divided as between Pakistan and India in proportion to their respective areas, i.e., Pakistan should bear 4/15ths of the total expenditure of the Institute....

"We may mention that there are a number of institutions in this Department, e.g. the Forest Research Institute, the Agricultural Research Institute, the Veterinary Research Institution, etc., in regard to which it was essential, both from the point of view of research as well as in the larger interests of the two countries, to adopt joint administration. But owing to our colleagues dislike of joint administration in any form whatsoever, we have refrained from putting forward such a proposal. In the case of this Research Institute, however, we find that unfortunately we have no alternative but to press for joint administration. The choice before us is between getting our survey research work done or not at all. We must have a reasonable assurance that it will be done and we can have this assurance only if this institute were jointly administered as proposed by us." See F. 730/13-7, *ibid.*]

(d) *Indian Dairy Research Institute*: It is understood that the basis on which research facilities are to be provided in this Institute will be covered by the general instructions the Partition Council will issue in the matter. If the cattle in the Institute can be divided without affecting the instructions regarding research facilities that are proposed to be issued, they should be divided in accordance with the recommendations of the Sub-Committee.

[The Sub-Committee had recommended that (1) the Dairy Institute at Bangalore might not be shifted and there should be no division of equipment and cattle of that Institute, and (2) heifers of pedigree Sindhi

herd yielding 500 pounds or more milk be equally divided between the two countries, the odd number extras to be retained in India. The Muslim members disagreed about retention of the Institute in India. This was the only Institute in India whose transfer to Pakistan was demanded by the Muslim members agreeing to let other institutes remain in India but Hindu members did not agree. See F. 730/18-22, *ibid.*]

(e) *Indian Veterinary Institute at Mukteswar and Izatnagar*: It is understood that this will be covered by the general instructions of the Partition Council.

[The Indian Veterinary Research Institute was stationed at Mukteswar and Izatnagar. The Sub-Committee agreed that the laboratory equipment and stores surplus to the needs of India might be made over to Pakistan. Besides, part of equipment in use at Izatnagar might be supplied to Pakistan for setting up serum and vaccine producing unit. However, there was difference of opinion between the Muslim and Hindu members over the valuation of Indian Research Institute at Mukteswar which was valued at nil by Hindu members on the ground that UP Government had given the land (3,237 acres) free of cost to the Central Government. See F. 730/24-5 and 88, *ibid.*]

(f) *Central Ground Water Organization*: It was agreed that six rigs out of the rigs now in possession of the Government of India or on order should be allotted to the Pakistan Government.

[On differences between the Hindu and Muslim members over the allotment of rigs, the Sub-Committee states: "There has been a difference of opinion between us about the division of the rigs and the attendant equipment. Mr Krishnaswamy and Mr Patel are of the view that as eight rigs have already been given to the Punjab, which is situated in Pakistan, the remaining 11 should be in the Rest of India. *Per contra*, it is the view of Messrs. Aziz Ahmed and Dr. Junaaid that the eight rigs have been given to the Provincial Government of the Punjab and that the Central Government of Pakistan have no rigs at all". See F. 730/26-8, *ibid.*]

(g) *Forest Research Institute*: It is understood that this will be covered by the general instructions the Partition Council propose to issue.

[The Sub-Committee had concluded that the Forest Institute at Dehra Dun and the two colleges should remain in India and research problems faced by Pakistan should be referred to the Institute where priority would be given to the reference. See F. 730/29-30, *ibid.*]

(h) *Zoological Survey of India*: No modifications in the existing organization is proposed. The question whether a separate organization should be established for Pakistan will be for the Pakistan Government to decide.

(i) *Locust Control Organization*: The Sub-Committee's recommendations may be accepted.

[The Sub-Committee had agreed to divide the equipment half and half with Pakistan getting 17 trucks, 6 motor cycles and two heavy trucks with equal proportion of spare parts. See F. 730/32, *ibid.*]

(j) *Indian Agricultural Research Institute*: It is understood that it will be covered by the general instructions the Partition Council propose to issue.

The division of the technical equipment etc., proposed by the Sub-Committee may be approved.

[The articles of Indian Agricultural Institute, New Delhi, were to be spared for transfer to Pakistan whose list had been given by the Sub-Committee at F. 730/43-53, *ibid.*]

(k) *Fisheries*: The proposal that the Karachi Institute should be taken over by the Pakistan Government and the others by the Government of India and the proposal of the Sub-Committee regarding division of trawlers may be approved.

[The Sub-Committee had recommended that out of two fishing trawlers, Trawler *Bangada* together with one echo sounder and one wireless set be handed over to Pakistan. See F. 730/34, *ibid.*]

(l) *Libraries*: This is covered by the Expert Committee No. 18 memorandum No. 1/E.C. (I), dated the 24th July 1947,³ regarding libraries.

[However, there were 17 libraries in all under the Ministry of Agriculture and Food and four each belonging to IARI, ICAR, IVRI and Forest Research Institute all located in India. The Muslim members suggested that IARI and ICAR Libraries, located in the same building at Pusa, Delhi, be treated as one unit for taking duplicate copies for Pakistan, and to avoid legal difficulties with ICAR Library, being a registered society, the duplicates were to be obtained from IARI Library. Similarly, the three libraries of the Research Institute, Dehra Dun, located in the Research Institute and in the two Forest Colleges, were to be treated as one library and thereafter the duplicates could be sent to Pakistan. The Hindu members did not agree to this and insisted that each library be treated as one unit and that if there were two copies of any book or journal in any one of those libraries, they might be supplied to Pakistan. See F. 730/36-9, *ibid.*]

(m) *Botanical and Zoological Collection*: The members of Expert Committee No. I are divided on their views on the subject in the same manner as the Departmental Sub-Committee and it is regretted that no agreement has been possible. The matter is for Partition Council's decision.

[About disagreement between the members of the two communities, the Sub-Committee states: "... the duplicates of all species in each collection, type specimens collected from Pakistan areas and co-types

and para types (where available) of the species collected from Hindustan should be supplied to us. With this proposition our colleagues do not agree. We consider that it is absolutely essential in the interest of agricultural research in Pakistan that these types should be made over to research institutes in Pakistan. We maintain that this can be done without materially impairing or hindering the conduct of research in India". See F. 730/38-9, *ibid.*]

- (n) 1. *The Indian Council of Agricultural Research*
 2. *The Indian Central Cotton Committee*
 3. *The Indian Central Lac Cess Committee*
 4. *The Indian Central Coconut Committee*
 5. *The Indian Central Sugarcane Committee*
 6. *The Indian Central Tobacco Committee*
 7. *The Indian Central Jute Committee*

These are statutory bodies or societies registered under the Societies Registration Act, 1860. The question whether these institutions are Government institutions liable to partition at the instance of Government is a legal issue. We understand that the question is being considered by Expert Committee No. II. Pending a decision on the legal issue, this Committee is not in a position to make any recommendations.

[About 1 above there was difference of opinion between the Hindu and Muslim members. The latter were of the opinion that the assets were divisible. About the books in the libraries, the Hindu members were willing to give the duplicates, if available in any library treated as a unit to Pakistan but the Muslim members suggested that both ICAR and IARI Libraries housed in the same building be treated as one unit and then the duplicates be divided. See F. 730/54-63, *ibid.*

About 2, 3, 4, 5, and 6 above the Sub-Committee recommended non-interference with them.

About 7 above, the Hindu members did not agree to the demand of the Muslim members that since 75% of the area under jute cultivation and 80% of the output were in East Bengal, the Indian Central Jute Technological Laboratory at Calcutta be transferred to Chittagong in East Bengal. See F. 730/58-65, *ibid.*]

(o) *International Organization*: The question whether the Pakistan Government should become a member of these institutions is for the Pakistan Government to consider.

[India was member of the following International Organizations with which Agriculture and Food Departments were concerned:

Food and Agriculture Organization (FAO), International Emergency Food Council (IEFC), and International Wheat Council (IWC).

Muslim members of the Sub-Committee recommended that the Indian Ambassador in Washington might be asked to convey the desire of the Pakistan Government to become a member of these Organizations and "to be allowed to take part in the proceedings of or to be present as an observer at the next conference, till it had become a full-fledged member". Copies of the note were supplied to the External Affairs and Commerce Departments Sub-Committees. See F. 730/66, *ibid.*]

(p) *The Indian Peoples Famine Trust*: The division of the trust is for Expert Committee No. II to whom an extract is being sent.

[The Trust set up by the Governor-General under Act No. VI of 1890 had an endowment fund amounting to Rs. 3,278,400 with an annual yield of Rs. one lakh paid six monthly. Matter was referred for legal opinion whether the assets could be divided. See F. 730/69, *ibid.*]

2. The assets and liabilities of Food Department, excluding office equipment, were mentioned by the Sub-Committee as follows:

- i. Food grains—imported
—indigenous
- ii. Military purchases
- iii. Surplus food stuff—for disposal
- iv. Storage accommodation
- v. Government dehydration factories including eight meat factories, of which only one fell within Pakistan area, namely at Nowshera, and four vegetable factories. Muslim members demanded that these factories should be taken at original book value but Hindu members did not agree. About the vegetable dehydration factory at Lucknow, the value was put at nil by the Hindu members because UP Government might decide to offer nothing for this factory to which Muslim members objected.
- vi. Ghee-heating centres at six places including one in Karachi. Here also the Muslim members demanded assets to be taken at full value but the Hindu members did not agree.
- vii. Imported milk powder
- viii. Miscellaneous—seven staff cars of which only one each were in Pakistan area i.e., at Karachi and Lahore.

It was recommended that the two staff cars lying at Lahore and Karachi should go to Pakistan as well as one out of five lying within India.

It was further recommended that after the preparation of balance sheet on 15 August 1947, Pakistan's share in terms of money, in cases of food grains, both imported and indigenous, and surplus food stuff on disposal be adjusted. Similarly, the cost of construction of the storage accommodation be adjusted (by allowing them to remain where they were).

Similarly, the dehydration factories and ghee-heating centres were

to remain wherever they were and their values adjusted on overall basis. For the imported milk powder, recoveries of the cost of milk powder distributed to various provinces and States were still to be made after which the allocation was to be decided. See F. 730/70-87, *ibid.*]

2. The orders of the Partition Council on the above proposal are requested.

P. V. R. RAO
M. AYUB
Secretaries

The Steering Committee
H. M. Patel/Mohamad Ali

¹Annexure I to Enclosure 3.

²See Annexure I to Enclosure 4 and F. 127/6-92, QAP. Not printed.

³Not available in QAP.

193

S. A. Haider to M. A. Jinnah

F. 162/310-3

THE HEWETT ENGINEERING SCHOOL,
JAGAT NARAIN ROAD, LUCKNOW,
19 July 1947

Dear Quaid-i-Azam,

I take this opportunity of offering my hearty congratulations on the achievement of Pakistan which has, by the grace of God, been all due to your persistent efforts in the best interests of Muslim India. Every Muslim now looks forward to you for the formation of a strong Muslim State functioning under your Governor-Generalship on which is now going to depend the happiness and prosperity of millions of Muslim souls. May God bless you with long life that you may witness the object[ive]s you have so dearly cherished at the greatest of sacrifices you have undergone during the last decade. *Aameen!*

Now that we are entering a new era full of grave responsibilities *we have to make constructive efforts in all directions*¹ to make Pakistan as prosperous and successful as can be. With this in view, I desire to place the following facts for your personal consideration:

1. That this institution, founded in 1904 by late S. Moh[amma]d Yusuf Ali (my father) has served the Muslims in a way that no other technical school in India could do during the last 43 years. More than 1,200 Muslims trained as Civil Engineering Subordinates are seen serving in Engineering Departments all over India. It has been running under my Principalship since 1932.

2. That as a result of proper standard being maintained, the U.P. Gov[ernmen]t was pleased to grant official recognition to this School in 1934 and has been conducting its final examinations since then. This was followed by official recognition by the Governments of the Punjab, N.W.F. Province, Baluchistan, Assam, C.P., some 88 prominent Indian States, 10 Railways and the M.E.S. A detailed list of these with brief extracts appears on pages 21 to 24 of our 1947 Prospectus (copy herewith).² Two U.P. Governors (1926 and 1940) and the Chairman, U.P. Public Service Commission (1940) visited the institution and expressed their appreciation of our sincere efforts.

3. That this School has never received any grant-in-aid from the U.P. Government, Indian States or the public. I maintained its progress and standard in spite of considerable difficulties, financial and others, so much so that it ranks now as one of the 26 leading Engineering Schools in this country. All these years it followed a policy free from communal and provincial restrictions, yet keeping special regard for the Muslim interests. The popularity of the institution is evident from the figures outlined on pages 27-28 of our 1947 prospectus,³ showing the number of students coming from different cities and belonging to different communities.

4. That under conditions imposed by the U.P. Government, it was not possible to expand the scope of technical education, while on the other hand I felt a great need for imparting civil engineering education upto the degree standard that could benefit overseers, especially the Muslim overseers. I, therefore, set up in 1947 a different institution under the name of the U.P. Engineering Institute with the idea of coaching qualified overseers for the Associate-Membership Examination of the Institution [*sic* for Institute] of Engineers, Calcutta, a qualification which is recognised by the Government of India as equivalent to an engineering degree. This institute is going to prove very successful and useful in course of time. A copy of its recent prospectus is enclosed herewith⁴ for kind perusal. Your special attention is drawn to the foreword by Mr. S. Mohsin Ali, ex-Chief Engineer, U.P. Irrigation, now a member of Central Waterways and Navigation Commission, New Delhi.

5. That last year I spent a few months in U.K. and Continent examining the possibilities of higher engineering education, such as B.Sc. Engineering and Architecture. I had the occasion of contacting most of the

Technical Colleges and the Education Officer, Mr. Kirpal, of the India Office, London, and quite a number of Muslim scholars deputed by the Gov[ernmen]t of India for technical studies. I feel that there is a considerable scope of service in this direction, especially for the Muslims, who have suffered much in the past due to lack of proper guidance, interest, and help which they should have received from the India Office, London.

6. That with a view to render service to Pakistan, we desire to set [up] a branch of the Hewett Engineering School at Karachi on the same lines and for the same courses as we have specialised in so far. For all this we would need land of 30 acres in suburbs on nominal lease, loan of Rs. 1,50,000 and priority for materials for the construction of its buildings, hostels, quarters, etc., which will be repayable to the Government within 10 years.

Being desirous of serving Pakistan and Muslims in particular, I earnestly request as follows:

- I. That the Pakistan Government may kindly grant recognition to the Hewett Engineering School and direct the Sind and East Bengal Governments to do the same, which they have not done so far, and give suitable jobs to its passed [*sic* for graduating] students as and when their services may be required.
- II. That initial help be given for the establishment of a branch of this School at Karachi.
- III. That I may be given an honorary post of Advisor to Pakistan candidates in connection with their technical education in U.K. and other European countries, such as France, Spain, Italy, etc. On this appointment I shall undertake, at my own expense, to spend June to September in Europe every year to help the Pakistan candidates regarding their admission to Technical Colleges and provide them with necessary information and advice which they may need.

If I can be of any service to Pakistan in the way suggested above, I shall be only too proud to do it.

The favour of an early reply and advice is earnestly requested.⁵

I remain,
Yours sincerely,
S. A. HAIDER
Principal

¹Underlined in the original.

^{2,3&4}Not available in QAP.

⁵Copy of the letter was sent to ten League leaders and to Dr Ishtiaq Hussain Qureshi, Dean of the Faculty of Arts, Delhi University, Delhi, with request to communicate their views and advice to Jinnah.

194

Altaf Hussain Khan to Iskander Mirza

F. 910/328

NEW DELHI,
19 July 1947

SECURITY ARRANGEMENTS—PAK[ISTAN] GOVERNMENT

In continuation of attached note,¹ I consider it my earnest duty to render timely advice to the Pak[istan] authorities on the above subject.

Considering the tragic end of members of Burma's Cabinet² and hostile attitude towards Pakistan the following further suggestions are made:

1. All Pak[istan] Government Offices, Civil Secretariat and Defence Service Offices, as well as the residences of Cabinet members be declared as "Defended Areas" and be adequately guarded.
2. These security measures be adopted with immediate effect, commencing at Delhi.

Security arrangements might be relaxed on the thorough establishment of the new State and according to situation. But at this stage thinner security precautions would be very much undesirable.

So far, I have gathered that little attention is being paid to the security side.

ALTAH HUSSAIN
Captain,*Officer Commanding, Armed Forces Headquarters Security Police*

Lt. Col. Iskander Mirza, C.I.E., O.B.E., I.P.S.

Copy to :

1. Quaid-i-Azam M. A. Jinnah
2. Hon. Mr. Liaquat Ali Khan
3. Hon. Mr. Abdur Rab Nishtar
4. Hon. Mr. Ghazanfar Ali Khan
5. Hon. Mr. I. I. Chundrigar
6. Hon. Mr. J. N. Mandal

¹Enclosure.²Aung San, Deputy Chairman, Burmese Executive Council and six other members of that Council were assassinated on 19 July 1947. See Appendix VIII. 3. Also see the *Pakistan Times*, 22 July 1947.

Enclosure to No. 194

F. 910/329

NEW DELHI,
19 July 1947

SPECIAL SECURITY PROTECTION OF QUAID-I-AZAM
AND OTHER HIGH OFFICIALS OF THE PAK[ISTAN]
GOVERNMENT AT KARACHI

It is suggested that:

1. Top priority be given for perfect security protection of Quaid-i-Azam and other high officials of Pak[istan] Government.
2. Military personnel with vast security experience be employed for the task.
3. Personnel employed as (2) above be called as "Quaid-i-Azam Security Staff" in short "Q.A.S.S."
4. Actual number of staff could be assessed at the spot. However a provisional number can be taken at [sic for as] a minimum:

Security Officer	1
V.C.Os.	2
I.O.Rs.	25
Receptionist	2
Chapراسى	6
Followers	2

ALTAF HUSSAIN
Captain,

Officer Commanding, Armed Forces Headquarters Security Police

195

H. M. Patel to M. A. Jinnah

F. 127/397

SECRET
No. P.O. 27/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
19 July 1947

The undersigned is directed to circulate to the Members of the

Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Thursday, the 17th July, 1947.

H. M. PATEL

Enclosure to No. 195

F. 127/398-410

MEETING OF THE PARTITION COUNCIL HELD ON
THURSDAY, 17TH JULY, 1947, AT 10 A.M.

SECRET

PRESENT

His Excellency the Viceroy
Mr. M.A. Jinnah
The Hon'ble Mr. Liaquat Ali Khan
The Hon'ble Sardar Vallabhbhai Patel
The Hon'ble Dr. Rajendra Prasad
His Excellency the Commander-in-Chief
Sir Patrick Spens (Case No. PC/55/6/47 only)
The Principal Secretary to His Excellency the Viceroy
The Private Secretary to His Excellency the Viceroy
(Case No. PC/56/6/47 only)
Mr. H. M. Patel
Mr. Mohamad Ali
Brigadier J. G. Elliott
Mr. Osman Ali
Lt. Col. V. F. Erskine Crum

CASE NO. PC/47/6/47

PLAN OF ACTION IN THE EVENT OF POSSIBLE CLASHES OR
DISTURBANCES IN THE NEIGHBOURHOOD OF THE BOUNDARIES
BETWEEN THE TWO DOMINIONS AFTER 15TH AUGUST

His Excellency said that he had not had an opportunity to discuss the note¹ before the Council with the Commander-in-Chief. He felt that if the procedure suggested by the C-in-C were agreed to, it would be essential that the two Dominions should make it clear that they took full responsibility for the association of British Officers who would be employed on this work and that these Officers were acting under instructions from the Dominion Governments. He would have a draft statement prepared for the approval of both sides covering this point,

conveying their earnest and sincere assurances to the minorities that their rights would be protected and that both Governments would adopt a "no reprisals" policy, and warning all concerned that in the event of trouble the full weight of the proposed machinery would be brought to bear for its suppression. The Commander-in-Chief said that the disturbed areas in which this machinery would be brought into operation would have to be defined, preferably to correspond with civil districts, by the two Governments or the Partition Council.

The troops employed would be Indian, but there would be a number of British Officers in command. His staff was working out details of the possible areas which might be involved and the number of troops required based on past experience. It was important to employ units of mixed class composition as recent experience had shown that where a battalion composed entirely of one class of soldiers was used, there were likely to be charges of partiality. So far as the Punjab was concerned, it was his intention to use the 4th Indian Division commanded by Major General Rees which was already in the area. He would attach to Major General Rees's staff a senior Muslim officer and a senior non-Muslim officer as advisers.

Continuing, the Commander-in-Chief emphasised that for the sake of avoiding confusion in the minds of officers and men who were conversant with the existing law governing the use of troops in aid of civil power, there should be no change after the 15th August in that law for such period as these forces were employed on this work.

In the course of subsequent discussion, the following points were made:

- a. It was not anticipated that there would be very serious trouble in Bengal with the possible exception of the city of Calcutta. If, however, the necessity arose, the same principles should apply in that province. His Excellency said that he had asked the Governor of Bengal to give him an appreciation of his ability to maintain law and order in Calcutta and Bengal generally on the date the decision of the Boundary Commission was announced.
- b. The troops in the disturbed districts of the Punjab should be in position by about the 7th or 8th of August.
- c. The Joint Defence Council should be constituted in sufficient time to meet in a preliminary way by the first week of August. In the event of the Defence Member, Pakistan, not being able to attend meetings summoned urgently to take decisions on operational questions as opposed to policy questions, the Pakistan High Commissioner in Delhi might be nominated as his representative.

- d. The High Commissioner would be at a disadvantage for this purpose as he would be without expert advice. In cases of urgency it would be preferable for the two Governors-General to discuss the matter over the secraphone, and to agree upon a line of action.
- e. Generally speaking, 3 days' notice of an intended meeting of the Joint Defence Council should be given.
- f. The legal authority of the Joint Defence Council to declare Martial Law in an area should be examined. The whole question of the composition, powers, responsibility, etc., of the Joint Defence Council would have to be considered separately.

DECISION

The Council agreed:

1. that action to deal with disturbances in the neighbourhood of the boundaries between the two Dominions on or after the 15th August should be on the lines indicated in the Commander-in-Chief's note;²
2. that Major General Rees, Commander of the 4th Division, should be appointed as Joint Commander on behalf of both Dominions to control all troops operating in the defined areas in the Punjab, and that the chain of control from the two Dominion Governments to Major General Rees should be through the Joint Defence Council and the Supreme Commander. The Council noted that the Commander-in-Chief would nominate a Muslim and a Sikh officer of suitable seniority as advisers on Major General Rees's staff;
3. that the zones in which the troops would have to operate should be defined by H.E.'s staff in consultation with the Commander-in-Chief and submitted to the Partition Council for approval;
4. that troops should be in position by the 7th or 8th of August at the latest;
5. that there should be no change in the law governing the use of troops in aid of the civil power after the 15th August for such period as these forces were employed on this work;
6. that details of the organisation and the formal resolution of both Governments in the case of trouble should be incorporated in the statement which H.E. was having prepared for issue over the signature of the members of the Partition Council regarding protection of minorities' rights, assurances of "no reprisals" and the fact that such British Officers as would be engaged in this work were acting under express instructions from, and were directly responsible to, the two Dominion Governments;
7. that a paper should be prepared defining the composition, powers

and responsibility of the Joint Defence Council for consideration by the Partition Council.

CASE NO. PC/48/6/47

INTERIM REPORT OF EXPERT COMMITTEE NO. V(ii)

The Council took note of the Interim Report of Expert Committee V(ii) (Budget and Accounts) and the Steering Committee's note thereon.

The Council directed the Steering Committee to make proposals for the accounting of joint expenditure, other than in respect of the Joint Defence Council, which might be incurred by the two Dominions after the 15th August.³

CASE NO. PC/50/6/47

REPORT OF THE EDUCATION DEPT. SUB-COMMITTEE OF EXPERT COMMITTEE NO. 1 ON ITEM (a) (i) OF THE TERMS OF REFERENCE OF THE EXPERT COMMITTEE

The Council approved the recommendations of the Steering Committee on the report of the Education Department Sub-Committee on Item 1 (a) (i) of the terms of reference subject to the following modification regarding Overseas Scholars:

The Government of Pakistan would bear the financial liability after the 15th August, in the case of those non-Muslim Scholars who elect to serve in Pakistan provided they are Pakistan nationals, i.e. residents of Pakistan territory; and similarly the Government of India would be responsible after that date for expenditure in the case of Muslim Scholars who elect to serve in the Dominion of India provided they are nationals of the Dominion of India.⁴

CASE NO. PC/54/6/47

WITHDRAWAL OF BRITISH FORCES

The Council considered the note⁵ by His Excellency circulated to all members.

Points in discussion were:

- a. *Paragraph 1 of note.* The first detachment of British troops, Army and R.A.F., approximately 1500 strong, to leave India, would sail in S. S. *Georgic* from Bombay on 17 August. His Excellency announced his intention of going down to say good-bye, particularly to emphasize to the public that the withdrawal of British troops had begun.
- b. *Paragraph 2 of note.* In order that there should be no embarrassment to either of the dominions, it should be made perfectly clear that British troops temporarily remaining in India after 15 August will have no operational responsibility whatever. They could

usefully employ their time in training for war, which was their proper role.

- c. *Paragraph 3 of note.* The value of these squadrons in their normal peace-time duties, and particularly for assisting in the training of R.I.A.F. squadrons now converting to a medium transport role, was emphasized.

As regards their employment in the event of serious internal unrest, it was stressed that they could not be used in any sort of operational role. Suitable tasks would be the maintenance of communications, flying out refugees, transport of doctors and nurses, and so forth. The Commander-in-Chief undertook to draft instructions governing their use, which would have to be referred to His Majesty's Government as the note circulated was in the exact terms of the offer made by them. His Excellency commenting on the immense value of transport aircraft hoped that the appropriate Service Sub-Committee would recommend a proportion of transport aircraft in the air forces of both the two new dominions.

The Council agreed:

1. to accept H.M.G.'s offer to retain two R.A.F. Transport Squadrons, provisionally up to 31 March 1948;
2. that they should operate under the control of the Joint Defence Council;
3. that the Squadrons would be located at Palam and Mauripur.

CASE NO. PC/55/6/47

ARBITRAL TRIBUNAL

The Council noted that Sir Patrick Spens had accepted the appointment of Chairman of the Arbitral Tribunal and recorded its appreciation of his acceptance which it recognised was due to a high sense of duty on his part.

DECISION

The Council decided that:

1. Sir Patrick Spens should be relieved of his office as Chief Justice of the Federal Court from the day he took up his new appointment and that on the conclusion of the work of the Tribunal he should accept no appointment, official or non-official, in India. (Sir Patrick Spens expressed his complete agreement);
2. the representatives of the India and Pakistan Governments should nominate, in consultation with Sir Patrick Spens, one Judge each for appointment on the Tribunal;
3. in the event of either nominee not being able to attend any meeting of the Tribunal, the party concerned should, in consultation with Sir Patrick, nominate a substitute;

4. the Tribunal should be set up as soon as the names of the two Judges were agreed upon;
5. the Tribunal should appoint its own staff after it is set up; it would presumably be composed of Hindu, Muslim and British officials;
6. the terms of reference should be drawn up by Sir Patrick Spens, in consultation with Mr. Jinnah and Sardar Patel, and submitted to the Partition Council for its approval;
7. the Tribunal would be entitled to lay down its own procedure;
8. parties on either side would be represented by counsel;
9. the Tribunal would have the right to summon, if necessary, experts as court witnesses;
10. the Tribunal should be located initially in Delhi which it was recognised would be the most convenient place, but that for good reasons it may seek permission later to sit elsewhere;
11. that the target date for completion of the work of the Tribunal should be fixed at 31.3.48.

CASE NO. PC/56/6/47

ISSUES CONNECTED WITH THE PARTITION WORK IN THE PUNJAB

In answer to a query Sir George Abell said that the work of partition was going ahead in the Punjab much on the same lines as were being followed at the Centre and that the Partition Committee was being kept informed through the Steering Committee on all matters of administration in the Province with the exception of law and order which, since the withdrawal of the Muslim League member from the Security Committee,⁶ was now solely the responsibility of the Government.

In the course of discussion the following points were made:

- a. It was desirable that both the Governments of East and West Punjab should remain at Lahore with a view to facilitating the work of partition. If Lahore goes to West Punjab by the decision of the Boundary Commission, the Government of East Punjab would find no difficulty in moving out at short notice to Simla which was the summer capital. Whichever side lost Lahore would, of course, have to move out before the 15th August.
- b. It was in all the circumstances best to proceed on the basis of the notional boundary, and the Government of East Punjab should, therefore, prepare to move to Simla without prejudice, of course, to the decision of the Boundary Commission regarding Lahore.
- c. The Boundary Commission might be asked to decide the question of Lahore as a matter of priority. It was pointed out however, that

such action might prejudice acceptance by all parties of its subsequent decisions.

- d. The posting of officers should proceed on the basis of the notional boundary which was not likely to be greatly modified by the Boundary Commission. The alternative proposal to set up joint administrations in all the 14 disputed districts and then re-post officers in accordance with the option they had exercised in the short period of two or three days between the announcement of the Boundary Commission's decision and the transfer of power would lead to confusion and a breakdown of the administration.
- e. Trouble in any one part of the province was likely to have repercussions elsewhere. It was important, therefore, that as far as possible, the Governments of East and West Punjab should each have its own administrative machinery in position not later than 1st of August so that the problems of law and order could be effectively tackled. It was pointed [out] that this should be possible in all the Districts except possibly those regarding which there was real dispute, namely, Lahore, Amritsar and Gurdaspur.
- f. Preparations for and actual posting of officers could be proceeded with on the basis of the notional boundary. The officers would, however, have to be warned that some changes might have to be made in the light of the Boundary Commission's decisions.
- g. The uncertainty regarding the fate of the disputed districts was holding up the work of division of assets and liabilities. It might, therefore, be necessary for the Partition Committee in the Punjab to continue to sit after the 15th August.

Summing up, His Excellency said that he would visit Lahore, probably on Monday next, meet the provincial Partition Committee and endeavour to secure their agreement (a) to the Government of East Punjab planning its move to Simla before the 15th August without prejudice to the ultimate award of the Boundary Commission regarding Lahore, (b) to postings being made on the basis of the notional boundary, and (c) in the event of his failing to secure agreement regarding the two or three seriously disputed districts, to action being held up in respect of those districts until he had reported back to the Partition Council. A telegram to this effect would be sent to His Excellency the Governor of the Punjab.

CASE NO. PC/57/6/47

REPLACEMENT OF PRESENT PARTITION COUNCIL
AFTER 15TH AUGUST

The Council recognised the need to bring into existence on the 15th August a body, which might be suitably designated as the Partition Council, to complete such work of the present Partition Council as remained unfinished on that date.

After a brief discussion it was agreed:

1. that on the 15th August a new Partition Council be constituted to complete the work of partition remaining unfinished on that date;
2. that two representatives of each of the new Dominions should serve on this Council;
3. that there should be in addition alternate members to serve on the Council in the event of any of the representatives not being able to attend a meeting;
4. that these representatives should be authorised to enter into agreements on behalf of their respective Governments;
5. that the Council should have a non-voting Chairman;
6. that the leaders of the two parties should recommend the names of their representatives;
7. that questions on which agreement could not be reached would be referred to the Arbitral Tribunal.

¹Undated letter from C. J. Auchinleck to Mountbatten. See Enclosure 1 to No. 153.

²*Ibid.*

³Case No. PC/49/6/47 regarding Report of the Transport Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of Expert Committee No. I. See F. 127/402, QAP. Not printed.

⁴The following have not been printed:

i. Case No. PC/51/6/47 regarding Report of the Central Board of Revenue Sub-Committee of Expert Committee No. I. See F. 127/403, *ibid.*

ii. Case No. PC/52/6/47 regarding Report of the Legislative Department Sub-Committee of Expert Committee No. I, and

iii. Case No. PC/53/6/47 regarding Report of the Works, Mines and Power Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee No. I, see *ibid.*

⁵Enclosure to No. 169.

⁶A Security Committee comprising a representative each of Muslim, Hindu and Sikh communities was formed in the Punjab after 25 June 1947 to review daily events and advise the Governor on steps necessary for maintenance of law and order.

196

Pir of Manki Sharif to M. A. Jinnah

F. 886/263

NEW DELHI,
19 July 1947

Sir,

Now that we are, by the grace of God, in a position to set our house in order according to our own conceptions and requirements, I propose that when we form our Ministry in the North-West Frontier Province, we should have a separate portfolio responsible for affairs connected with Islamic *Shari'at*. We should in that Department have a Minister with an Advisory Council of leading personalities well-versed with *Shari'at* Law. Briefly, the main functions of this Department should be:

1. To advise Muslims on questions relating to their *Shari'at*;
2. to give correct interpretations of disputable points of *Shari'at* Law referred to them by Courts;
3. to appoint *qazis* and *muftis* to settle individual cases in *jirgas* and village *panchayats* according to *Shari'at*;
4. to look after the management of mosques, shrines, *maktabs*, *auqafs*, etc., and to make arrangements for *Hajj* pilgrimage;
5. to take necessary steps to introduce religious and social reforms amongst Muslims;
6. to prepare or select text books for religious teachings in *maktabs* and other schools;
7. to open training schools for *imams*, *qazis* and *muftis*, etc.; and
8. *tabligh* (preaching).

2. The necessity for the establishment of such a Department is so obvious that it hardly requires any elucidation. I have every hope that you will kindly take such steps as are necessary to see that the needful is done immediately with the formation of our Ministry in the Province. I would further suggest that an official announcement about what [is] contemplated should be made forthwith. The reasons for [it] are also obvious.

I am,

Yours sincere[ly],
AMEEN AL-HASNAT¹
Pir of Manki Sharif

¹Signed in Urdu.

197

*Ruler of Swat to M.A. Jinnah**F. 36/1*

SAIDOO SHARIF,
SWAT STATE, N.W.F.P.,
19 July 1947

Quaid-i-Azam,

I thank you very much for your kind letter.¹ By God's grace I am a Muslim and have all my sympathies for the Muslim League.

In the past I have done what I could and in the future too, if God pleases, I would do for it what I could. The Muslim world is very grateful to you and is proud of your great achievements. Pakistan was the only solution for the betterment of the Muslims and its attainment required only your perseverance, patience and able guidance. It was like a dream that has come true and thanks are due to your efforts for it. I congratulate you on achieving this.

Your appointment as Governor-General is most fitting, as the movement had been started and reared by you and you have a picture in your mind [of] what you wish to make it like. I wish you all success and most heartily congratulate you as the first Governor-General [designate] of the Dominion of Pakistan.

Assuring you that my services with all resources are at the disposal of Pakistan and with respects from my son Jahanzeb.

Pakistan Zindabad.

I am ,
Yours sincerely,
*The Ruler of Swat*²

¹Not available in QAP.

²He affixed his seal to the letter and signed it. Signature is not legible.

198

*S. A. Shakoor to M. A. Jinnah**F. 37/1*DELHI,
19 July 1947

My most dear and revered Quaid-i-Azam,
Assalaamo 'Alaikum

The Nawab and Ruler of Pathari State, C.I. (Bhopal Political Agency) has directed me to reach Delhi and request you kindly to grant him an interview on such date and time within this month which may be convenient to you. He is eager to seek your valuable advice on some most vital matters relating to the interests of Muslim States. Anxiously waiting for a favourable reply.

Quaid-i-Azam Zindabad. Pakistan Zindabad.

I have the honour to be,

Quaid-i-Azam,

Your most obedient servant,

S. A. SHAKOOR

Private Secretary

to the Ruler of Pathari State, Central India

199

*H. M. Patel to M. A. Jinnah**F. 127/309*

IMMEDIATE/SECRET
No. P.O.-28/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
19 July 1947

The Steering Committee present their compliments to Mr. M. A. Jinnah and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at The Viceroy's House at 5 p.m. on Tuesday, the 22nd July, 1947.

AGENDA

1. Towed Target Flight R.I.A.F.
2. Allocation of the Indian Electrical and Mechanical Engineers
3. Allocation of the Indian Pioneer Corps
4. Location of Naval Headquarters (Pakistan)
(Recommendations of the A.F.R.C. and of the Steering Committee in respect of the above items are attached)
5. Recommendations of the Departmental Sub-Committee (Railways) of Expert Committee No. II
6. Reports of Departmental Sub-Committees of Expert Committee No. I on item 1 (a) (i) of the terms of reference of the Expert Committee relating to the following Departments:
 - (i) Finance
 - (ii) Commerce
7. Files required by the Pakistan Government

(Papers for items 5,6 & 7 are attached)

[H. M. PATEL]

Enclosure 1 to No. 199

F. 127/310

ITEM NO. 1

TOWED TARGET FLIGHT R.I.A.F.¹

¹Not printed.

Enclosure 2 to No. 199

F. 127/311-12

ITEM NO. 2

ALLOCATION OF THE INDIAN ELECTRICAL AND
MECHANICAL ENGINEERS

Recommendations of the A.F.R.C.

[*Paras 1 & 2 omitted*]¹

- [3] The A.F.R.C. further agreed to the following recommendations:
- (a) that the Director of Mechanical Engineering should be instructed to make any necessary redistribution of machinery and personnel to the workshops referred to in para 2 (d) to ensure that each Dominion will be able to deal with all

types of work required by units in their respective Orders of Battle.

- (b) that the necessary cross-posting of personnel, who are now organised on a non-communal basis, should be put in hand with due regard to the maintenance of efficiency of the repair organisations in both Dominions.

[Sub-para (c) omitted]

Recommendation of the Steering Committee:

[4] The Steering Committee recommended confirmation of these decisions.

The Armed Forces Reconstitution Committee accepted the recommendations of Army Sub-Committee that the following major units be allotted to Pakistan:

- 501 Command Workshop, Chaklala/Rawalpindi
- 503 Command Workshop, Quetta
- 504 Command Workshop, Bannu, and
- 601 Combined Workshop Karachi; the rest going to India.

Enclosure 3 to No. 199

F. 127/313

ITEM NO. 3

ALLOCATION OF THE INDIAN PIONEER CORPS

Recommendation of the A.F.R.C.

[1] The Indian Pioneer Corps provides in the theatre of operations the unskilled labour required by the other Services. It has been decided that it is desirable in peace to maintain a nucleus of this corps for expansion in war. The active units marked for retention in India are one Group Headquarters and 11 companies. In addition there are a number of companies still overseas.

[2] The A.F.R.C. accepted the recommendation of the Army Sub-Committee that a Group Headquarters and nine companies be allotted to India and two companies be allotted to Pakistan. This conforms with the existing class-composition and very little cross-posting will be necessary. The two companies allotted to Pakistan are composed of Bengali Mohammadans.

[Para 3 omitted]

Recommendation of the Steering Committee:

The Steering Committee recommend confirmation of these decisions.

*Enclosure 4 to No. 199**F. 127/314*

ITEM NO. 4

LOCATION OF NAVAL HEADQUARTERS (PAKISTAN)

Recommendation of the A.F.R.C.

The A.F.R.C. accepted the unanimous recommendation of the Naval Sub-Committee that Naval Headquarters, Pakistan, should be located at Karachi.

Recommendation of the Steering Committee:

The Steering Committee have no comments.

*Enclosure 5 to No. 199**F. 127/315*

ITEM NO. 5

RECOMMENDATION OF THE DEPARTMENTAL SUB-COMMITTEE
[ON] RAILWAYS OF EXPERT COMMITTEE NO. II

Balancing Committees consisting of two officers have been appointed on both the N.W. and B.A. Railways to work out the detailed distribution of each type of rolling stock between Pakistan and India so that there may be a proper proportion of rolling stock in each Section by age groups. These committees have been instructed to carry out the distribution in accordance with the agreed principles stated in the Annexure¹ to this note. The Steering Committee's permission is now sought for issuing instructions to the Administrations concerned for renaming the rolling stock in accordance with the distribution made by these Balancing Committees on each Railway. The names of these Railways as already decided by the Government are given below:

Section	Name of the Railway
1. Pakistan Section of North Western Railway	North Western Railway
2. Indian Section of North Western Railway	Eastern Punjab Railway
3. Pakistan Section of Bengal Assam Railway	Eastern Bengal Railway

- | | |
|--|--|
| 4. North and North-Eastern
portion (Metre Gauge) of
B.A. Railway which lies in India | Assam Railway |
| 5. North Western portion
(Metre Gauge) of B.A.
Railway which lies in India | To be merged with Oudh
Tirhut Railway |
| 6. Southern portion
(Broad Gauge) of B.A. Railway
which lies in India | To be merged with East
Indian Railway |
| | M. J. CHUGHTAI
K. C. LALL |

Recommendation of the Steering Committee:
The proposals may be accepted.

H. M. PATEL
MOHAMAD ALI

¹See F. 127/316-7, QAP. Not printed.

Enclosure 6 to No. 199

F. 127/318-9

ITEM [No.] 6 (i)

[FINANCE]

A copy of the Report of the Finance Department Sub-Committee on item 1 (a) (i) of the terms of reference, as also of Expert Committee No. I's observations thereon, is attached.¹ The Steering Committee recommend that:

- a. In respect of part I of the report immediate administrative action for reducing the strength of the staff of India's Finance Department and for staffing Pakistan's Finance Department be based on the recommendations made therein;
- b. In respect of part II of the report, immediate administrative action for reducing the strength of some of the Accounts offices in India and for staffing and organising the Accounts offices for Pakistan be based on the recommendations made in Appendices C & D respectively, as modified by paras 1 (a), 1 (f) and 1 (h) of Expert Committee No. I's forwarding endorsement.
- c. In respect of part III of the report, the Mints at Calcutta and Bombay should remain with the Government of India, whereas the Lahore Mint should be transferred to the control of Pakistan Government. The question of the facility to be given to the Pakistan Government

for the minting of coins at the Calcutta Mint during the interim period is being considered by Expert Committee No. V.

As regards the Security Printing Press, Nasik, suggestions for the division of its assets and for facilities to be given to the Pakistan Government for note-printing during the interim period are being examined by Expert Committees No. II and V respectively, but meanwhile existing administrative arrangements should continue undisturbed.

[*Sub-para (d) omitted*]

¹See F. 127/320-1, QAP. Not printed.

Annexure I to Enclosure 6 to No. 199

F. 127/322-30

4 July 1947

EXPERT COMMITTEE NO. I

SUB-COMMITTEE NO. 4(A)—FINANCE, INCLUDING SUPPLY
FINANCE, FOOD FINANCE, AND THE INDIAN AUDIT DEPARTMENT
REPORT NO. 1

[1] In accordance with item (a) (i) of the terms of reference, the first point on which we are asked to report is in regard to the organisational consequences of partition in respect of the administrative machinery, viz. the various kind and grades of staff required for the offices in India and Pakistan respectively after the partition takes place. We deal below with parallel offices for India and Pakistan.

FINANCE DEPARTMENT SECRETARIAT EXCLUDING C.B.R. AND
MILITARY FINANCE DEPARTMENT BUT INCLUDING
SUPPLY FINANCE AND F.A.(C)

[*Sub-para (a) about India omitted*]

b. *Pakistan*: A chart is appended (Annexure II to Enclosure 6) showing the set up of the Finance Department Secretariat for the Pakistan Government.

Finance and Commerce Department Pool Cadre: The Finance Department is responsible for the administration of this cadre which is common to both these Departments. As far as we can envisage, the partition will not entail any material reduction in the present strength of the cadre which at present is not working even to its complement and has to take personnel either from the list or outside. The Committee agree that a similar cadre will have to be framed for Pakistan the actual strength of which is difficult to determine at the moment but which on a rough estimate may be not less than 20.

II. INDIAN AUDIT DEPARTMENT

[Sub-para (a) about India omitted]

II b. *Pakistan*: We enclose herewith statements (Annexure III to Enclosure 6) showing the future set up of the corresponding [Audit Department] offices in Pakistan.

III. SECURITY PRINTING PRESS INCLUDING THE CURRENCY NOTE PRESS AND THE CENTRAL STAMP STORES

There is only one organisation of this kind for the whole of India and the non-Muslim members of the Committee are of the opinion, after consulting the Master, Security Printing (Col. Chapman R.E.) copy of whose note is attached herewith (Annexure IV to Enclosure 6) that there can be no division of this office as an organisational consequence of the partition. It will be for the Government of Pakistan to decide as a question of policy whether they would have a separate Security Press similar to the one existing in India and, if so, at what period of time. As an interim arrangement, two courses are possible:

- a. The future Pakistan issues of notes and stamps, etc., whether of new designs or as over-printing of existing issues, may be executed in the Security Press, Nasik.
- b. Pakistan Government may make an independent arrangement with any reliable outside firm.

The Master, Security Printing, is of the opinion that the latter course is preferable and that the former course, if anything, will tax his establishment's resources, and plant capacity to the utmost and it may not be possible to start a new design of note and stamp issue for the Pakistan Government in any short period. The non-Muslim members are, therefore, of the opinion that the second alternative suggested should be adopted by the Pakistan Government, i.e. making arrangement with an outside firm and, if at all, the interim facilities under the first alternative should be limited to overprinting for the immediate needs of Pakistan until the negotiations with a foreign firm are complete.

The Muslim members do not share the views expressed above. They consider it inadvisable to jump to any conclusion on the statement of the Master, Security Printing Press, whose attitude, in their opinion, was unhelpful. The Master, Security Printing Press, expressed his inability to give a statement of the assets belonging to the Press and also declined to give a list of plant that would be required by the Pakistan Government in case they decide to set up a Security Printing Press of their own. They had therefore no other alternative but to examine the Chief Inspector, Currency Note Press, who, though not an

Engineer, has long experience and possesses practical knowledge of the entire working of the Press. On examining him, he presented a number of statements giving facts and figures. The Muslim members were of the opinion that keeping in view the orders for new machinery that have been placed, it should be possible for the Nasik Press to spare certain type of machinery for the Pakistan Government without disturbing the balance of the existing plant. This point they propose to take up in detail with the Assets and Liabilities Committee. For the purpose of this report they only agree to the postponement of the physical division of personnel and plant and machinery for such time as the Pakistan Government get their currency notes etc. printed at the Press. The Muslim members also do not share the view that the Pakistan Government should get their currency notes, postal stationery and security documents printed through a private company. In their opinion it would be much better to leave this work with the Nasik Press and to appoint a representative of their own to see that all security measures, so far as the Pakistan Government work is concerned, are taken. On examining the figures supplied by the Chief Inspector, they are convinced that the Press will have sufficient capacity to undertake printing on behalf of the Pakistan Government. During the war this press has been at times producing eight million pieces of currency notes per day whereas the present production is only 3.5 million pieces per day. A further decrease is expected shortly as Hyderabad and Burma Government[s] are going to make their own printing arrangements. After the separation, Hindustan Government are not likely to require more than two million pieces per day, whereas the present capacity of the machine power is four million pieces on the basis of normal working hours. It is expected that normal requirements of Pakistan will not exceed 0.8 million per day.

On the above views of the Muslim members of the Committee the non-Muslim members have to make two observations:

1. That equal weight should not be attached to the opinions of the Master of the Press and of his Chief Inspector Mr. Kapadia whose ordinary duties involve only check of receipt, issue, and out-turn after printing of note paper and seeing that there is no pilferage and who, on his own admission, does not possess any technical engineering knowledge,
2. The non-Muslim members will not in any circumstances agree to the supervision of the Press by a representative of another government.

IV. MINTS

There are three mints in India at Calcutta, Bombay and Lahore. So far as the rest of India's requirements are concerned, it will be necessary to have both the mints at Bombay and Calcutta. The non-Muslim members of the Committee have considered this case on the understanding that the Calcutta Mint is stated to require expansion and the schemes which are under consideration of Government take note of the fact that the staff and resources in the Lahore Mint would be available for transfer back to Calcutta. If Government have decided to interdict the transfer of the Lahore Mint, the Lahore Mint may be available for the use of the Pakistan Government and we understand it is capable of functioning as a self-contained unit which should meet the ordinary requirements of the Pakistan Government. In view of this distribution no question of the division of the organisation arises.

While the Muslim members agree to the conclusion that no immediate division of the organisation is necessary they do not subscribe to the view that the Lahore Mint would be able to cater to the entire needs of the Pakistan Government. They consider that this is a matter for the Currency Committee to decide, it being sufficient to state that the existing minting capacity in the rest of India is about four times of that of the Lahore Mint. This does not take into account the fact that a complete mint is on order and when installed it will be able to produce 6 million coins per day in addition.

The Muslim members stated that one of the two following alternatives will also have to be considered for the supply of Pakistan coins expeditiously to East Bengal:

1. Pakistan coins to be minted at the Calcutta Mint until the Pakistan Government is able to set up its own mint in East Bengal; the Mint Master, Calcutta, has confirmed the practicability of this proposal and considers that even though the dies for such coins may be different from those of Rest of India, it will not involve any additional pressure on the Mint which is already serving the whole area including Eastern Bengal, or
2. Permission to transport Pakistan coins through Hindustan under escort.

They would prefer the first alternative but will be forced to ask for the acceptance of the second if the first alternative is not agreed to.

In regard to the above points the non-Muslim members are of the opinion that it is possible to supply the required number of coins to Eastern Pakistan provided—

1. the work is to be done entirely by the Mints in the Rest of India and as long as possible in Calcutta itself without any supervision by any representative of the Pakistan Government; and
2. the coins are not widely different from those that are being manufactured at the time for the Rest of India.

As regards the second point the non-Muslim members feel that this is a question of policy on which they are not in a position to make any observation.

V. NATIONAL SAVINGS CENTRAL BUREAU

A chart is attached¹ showing the present set up and the possible reductions for the Rest of India. For Pakistan two courses are possible—

1. either Finance Department Secretariat may run the Savings Scheme; or
2. the Pakistan Government may set up a subordinate office as in India.

In the latter event the strength may be as indicated in Annexure III to Enclosure 6 (under relevant head).

VI. COMMODITIES PRICES BOARD

This office has only been recently set up and has a very heavy programme of work before it. We feel, as far as the Rest of India is concerned, that there can be no division in the organisation. The Muslim members are prepared to leave out of account the setting up of a similar organisation for Pakistan.

*Note.*² In some of the cases, e.g. the Audit Department, the staff allowed for Pakistan is in excess of that admissible on the standards observed for the offices in the Rest of India. But we have agreed to this as most of the offices will be newly started and the personnel are relatively inexperienced.

R. S. KRISHNAN
SHAMOON AHMAD
Secretaries

E. R. SESHU AYYAR
K. R. P. AIYANGER
A. K. ROY
S. A. HASNIE
M. HASHIM
A. A. BURNEY
[Members]

¹F. 127/363, QAP. Not printed.

²Underlined in the original.

*Annexure II to Enclosure 6 to No. 199**F. 127/333, 349-50¹*

FINANCE DEPARTMENT

Proposed Strength for Pakistan Government

[Posts]	[Strength]
Secretary	1
Joint Secretaries	3
Financial Adviser (Communications)	1
Deputy Secretaries (including Examiner, Capital Issues and D.F.A.(C)	5
Under-Secretaries, Assistant Secretaries	9
Superintendents	13
Assistants	67
Clerks	43
<i>Daftries</i>	14
Peons	67
Private Secretary to H. M. (D.S. or U.S.)	1
Stenographers (including P. As.)	18

STAFF OF THE OFFICE OF THE COMPTROLLER,
SIND IN INDIA

Staff at present		Reduction proposed
Class I	1	
Class II	1	
Assistant Audit Officers (A.A.Os.)	6	
Subordinate Accounts Services (S.A.S.)	27	
Divisional Accountants (Divl. Accts.)	49	
Upper Division Clerks (U.D.C.)	195	Entire staff
Lower Division Clerks (L.D.C.)	51	
Stenographer	1	
Grade IV	5	

STAFF OF THE OFFICE OF THE COMPTROLLER, NORTH WEST
FRONTIER PROVINCE IN INDIA

Staff at present		Reduction proposed
Class I	1	
Class II	1	
A.A.Os.	3	
S.A.S.	22	
Divisional Accountants	16	
Upper Division Clerks	137	Entire staff
Lower Division Clerks	36	

Stenographer	1
Grade IV	38

¹For details of proposed strength and possible reduction for other officers in the Rest of India see F. 127/331-2 and 334-48, QAP. Not printed.

Annexure III to Enclosure 6 to No. 199

F. 127/351-62, 364-7

CONSOLIDATED STRENGTH OF THE [AUDIT AND ACCOUNTS]
OFFICES

Strength of the Pakistan Audit Department

Auditor General	1
Accountants General	3
Class I	5
Class II	21
A.A.Os.	36
S.A.S.	249
Divl. Accts.	216
U.D. Clerks and	
Assistant Superintendents	1,688
Stenographers	12
L.D. Clerks including	
Typists and Machinists	534
Supervisor	1
Cashier ¹	1
Assistant Cashiers ²	3
Record Sorters	87
Grade IV (including Book Binders	
and Caretaker)	416

OFFICE OF THE AUDITOR GENERAL AND DIRECTOR
OF RAILWAY AUDIT, PAKISTAN

[Posts]	[Strength]
Auditor General	1
Class II	1
A. A. Os.	2
S. A. S.	5
U.D. Clerks	12
L.D. Clerks	3
Stenographers	2
Record Sorter	1
Class IV	15

OFFICE OF THE DIRECTOR OF AUDIT, DEFENCE SERVICES,
PAKISTAN

[Posts]	[Strength]
Class I	1
Class II	2
A.A.Os.	4
S.A.S.	25
Stenographer	1
U.D. Clerks	60
L.D. Clerks	7
Record Sorter	1
Class IV	21

OFFICE OF THE ACCOUNTANT GENERAL, PAKISTAN REVENUES,
INCLUDING FOOD, INDUSTRIES AND SUPPLIES

[Posts]	[Strength]
Accountant General	1
Class II	4
A.A.Os.	5
S.A.S.	38
Divisional Accountants	4
U.D. Clerks	272
L.D. Clerks	71
Stenographers	2
Book Binder	1
Class IV	60

STAFF OF THE OFFICE OF THE COMPTROLLER, N.W.F.P.
FOR THE PAKISTAN AREA

[Posts]	[Strength]
Class I	1
Class II	1
A.A.Os.	3
S.A.S.	22
Divl. Accts.	16
U.D. Clerks	137 including 3 Asstt. Supdts.
L.D. Clerks	36
Stenographer	1
Grade IV	38 including two Book Binders

STAFF OF THE OFFICE OF THE COMPTROLLER,
SIND FOR THE PAKISTAN AREA

[Posts]	[Strength]
Class I	1
Class II	1
A.A.Os.	6
S.A.S.	27
Divisional Accountants	49
Upper Division Clerks	195
Lower Division Clerks	51
Stenographer	1
Grade IV	55

OFFICE OF THE COMPTROLLER, NORTH WEST
FRONTIER PROVINCE

Entire staff to be transferred to Pakistan.

OFFICE OF THE COMPTROLLER, SIND

Entire staff to be transferred to Pakistan.

OFFICE OF THE COMPTROLLER, POST OFFICES, PAKISTAN

[Posts]	[Strength]
Class I	1
Class II	1
A.A.O.	1
S.A.S.	11
Divisional Accountant[s] (Senior)	3
Divisional Accountant[s] (Junior)	2
U.D. Clerks	154
L.D. Clerks	111
Stenographer	1
Record Sorters	37
Class IV	20

OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND
TELEGRAPHS, EAST BENGAL (INCLUDING
TELEGRAPH CHECK OFFICE)

[Posts]	[Strength]
Class II	1
A.A.O.	1
S.A.S.	10
Supervisor	1
Divisional Accountants	4
U.D. Clerks	137
L.D. Clerks	108

Record Sorters	48
Class IV	17

ACCOUNTANT GENERAL, WESTERN PUNJAB INCLUDING
CHIEF AUDITOR, N.W.F. (PAKISTAN)

[Posts]	[Strength]
Accountant General	1
Class I	1
Class II	5
A.A.Os.	7
S.A.S. Accountants	55
Divl. Accts.	100
U.D. Clerks	341
L.D. Clerks	83
Typists	11
Machinists	2
Stenographers	2
Book Binders	8
Caretaker	1
Class IV	90

ACCOUNTANT GENERAL, EASTERN BENGAL INCLUDING
CHIEF AUDITOR, BENGAL ASSAM RAILWAY (PAKISTAN)

[Posts]	[Strength]
Accountant General	1
Class II	5
A.A.Os.	6
S.A.S. Accountants	41
Divisional Accountants	3
Upper Division Clerks	340
Lower Division Clerks	91
Cashier ³	1
Asstt. Cashiers ⁴	3
Stenographers	2
Class IV	77

LOCAL AUDIT DEPARTMENT

[Posts]	[Strength]
S.A.S. Accts.	10
U.D. Clerks	7
L.D. Clerk	1
Class IV	10
Divisional Accountants of the Provincial Govts.	21

(If the Referendum in Sylhet is in favour of its joining Eastern Bengal the following staff will be added to the office of the Accountant General, Eastern Bengal, from the office of the Comptroller, Assam).

[Posts]	[Strength]
A.A.O.	1
S.A.S Accountants	5
Divisional Accountants	4
U.D. Clerks	33
L.D. Clerks	9
Class IV	9

[NATIONAL SAVINGS CENTRAL BUREAU]

PAKISTAN⁵

[Posts]	[Strength]
National Savings Commissioner	1
Deputy National Savings Commissioner	1
Superintendent	1
Assistants	4
Clerks (including the Cashier)	10
Stenographers	2
Class IV	7

NATIONAL SAVINGS CENTRAL BUREAU
PROVINCIAL ORGANISATION

Proposed Staff for Pakistan⁶

	Bengal	Punjab	Sind	N.W.F.P.	Baluchistan
<i>Officers</i>					
Provincial National Savings Officer	1	1	1	1	1
Deputy National Savings Officer	-	1	1	-	-
Assistant National Savings Officer[s]	<u>3</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>3</u>
Total	[4]	5	3	3	4
<i>Ministerial</i>					
Head Clerk	1	1	-	-	-
Senior Assistant	-	-	-	-	1
Junior Assistants	-	-	-	-	3
Steno[grapher]	1	1	-	1	-
Clerks	33	67	32	10	-
Part-time Clerks	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>20</u>
Total	35	69	32	11	24
Class IV	6	7	3	4	4

^{1 & 2}The note "If there is pre-audit in Eastern Bengal" appeared in the original.

¹⁸⁴The note, "These will be necessary only there is to be pre-audit" appeared in the original.

¹⁸⁵For item relating to National Savings Commissioner for the Rest of India, see F. 127/363, QAP. Not printed.

¹⁸⁶For figures relating to the Rest of India, see F. 127/365-7, QAP. Not printed. For the Commodities Prices Board, see F. 127/368, *ibid*.

Annexure IV to Enclosure 6 to No. 199

F. 127/369-73

Undated [July 1947]

NOTE ON SECURITY PRESS

1. The Department, known as Security Printing India, consists of
 - a. The Stamp Press which prints postage, court fee and fiscal adhesive stamps, impressed stamps of all kinds, cheques, postal orders, National Savings Certificates, petrol coupons, match excise banderols, postal stationery and other minor items.
 - b. The Currency Note Press which prints currency and bank notes only.
 - c. The Central Stamp Store which receives and stores all products of the stamp press and distributes to all treasuries and a number of sub-treasuries in India as at present constituted.
2. The two presses are served by a common workshop which undertakes building works and repairs and maintenance of machinery and is also responsible for water supply and electrical arrangements within the press. Power is supplied in bulk by the local power company and transformed or converted as required in the press sub-station in which there are also two stand-by generating sets which are old and of small capacity.

Design and platemaking work for both presses is carried out in a common studio.

3. The Presses are at present only just able to meet their demands by working a ten hour day with, in most sections, a night shift in addition. Night work is not done in the Currency Note Press due to the difficulty of accurate colour matching by artificial light and also for security reasons.

4. The problem arises as to how the requirements of each of the two parts of India are to be met (a) in the immediate future and (b) as a long-term arrangement.

Given separate and distinct designs for both Hindustan and Pakistan it might just be possible to supply all products for both parties though the fact of doubling the number of varieties would lead to twice the amount of idle machine time involved in frequent change-overs from one job to another.

New designs, however, take time; e.g. a new set of note designs cannot be completed in less than one year and more probably 1½ years. It would certainly be a minimum of 1½ years before adequate quantities of a new issue could be produced, examined and packed ready for despatch. Time for distribution has to be allowed in addition.

The above applies to other products also though the time required will vary according to the nature of the job and the priority to be given to other work in the studio at the time.

For the immediate future, the solution which immediately suggests itself is to overprint existing issues for Pakistan and there is little doubt that this will have to be adopted in spite of its serious disadvantages. Overprinting is generally an ugly and always an expensive expedient. Being a separate operation it makes unproductive [*sic* for unproductive] a number of machines which would otherwise be producing new work. As all machines in the Presses are already fully employed a material loss in output is inevitable and if Pakistan work is to be given priority and the demand supplied in full the remainder of India will suffer a serious shortage. As overprinting would have to continue for at least a year until other arrangements can be made, it is not apparent how this shortage is to be made good, and serious public complaints are anticipated. For equity the shortage should be proportionately shared by the two parties.

5. When new designs have been prepared the question will arise whether these are to be printed:

- a. by the Security Press,
- b. by the Pakistan Government under its new arrangements, or
- c. by a security printing firm.

As regards (a) the position is as stated in para 4. It ought to be just possible to do the work provided demands generally do not increase and new varieties are not unduly multiplied in the meantime.

[As regards] (b) it is natural that the Pakistan Government would wish to adopt this course but it raises the question of division of plant and machinery which is shown below to be impracticable. Moreover the establishment of a Security Press is a large undertaking of considerable complexity to which it is expected a new Government might be unable to devote adequate attention in the early stages. It would in any case, I anticipate, take not less than 3 years to get into full swing.

[As regards] (c) I would strongly advocate this course and would suggest a contract for, say, 5 years, with a reliable firm, such as Messrs. De la Rue & Company. By the end of about 2 years the new Government would see how it was placed and if it then decided to go in for a Press of its own there would be adequate time to make all

the necessary arrangements. Moreover the new Government would have had none of the worry of organisation and administration of a complex department in the early stages of its existence.

6. Existing plant and machinery in the Security Press:

The Press was designed to meet the requirements of India as a whole. New machinery has not been obtainable in the same proportion as demands have increased, with the result that not only is the machinery largely old and out of date but has been reduced almost to scrap value in many cases due to ceaseless working at the limit of output, day and night for the last 6 years or so. With constant attention it is only just possible to keep much of it in action.

To attempt to divide this now in the proportion of 1 to 3 would not only be impracticable in most cases but would in any case work much to the detriment of both parties. Pakistan would be receiving old machines with little useful life left in them and neither party would have any reserve to cover breakdowns since all machines have already more work than they can properly cope with.

There are many cases in which division is impossible. For example the battery of 14 embossing machines is operated from shafting driven by a single motor. Of the stamp printing (letter press) machines there is only one of each kind, the studio has only one step and repeat machine and one enlarging camera. In the plate-making section there is no duplicate of any single item.

It is not possible to equip 2 presses out of one unless each would be complete in itself thereby, and this would not be the case in this instance. Since many machines are interdependent, the absence of one in the chain renders the others useless.

Existing machines are equipped with 230V D.C. motors, a voltage not in use now-a-days for power consumption in large quantities. It is doubtful if any Power Company, even if it supplied D.C., would accept such a load.

If any machines¹ were now transferred to Karachi it would be some time before they could be put into use during which time it would be quite impossible for the Security Press to produce anything overprinted or otherwise, for Pakistan.

R. C. G. CHAPMAN

Lt. Col.

Officiating Master, Security Printing, India

¹For Report dealing with "Suggested Equipment for Pakistan Security Press", see F. 127/374-7, QAP. Not printed.

*Enclosure 7 to No. 199**F. 127/377-8**Undated [July 1947]*

ITEM 6(ii) [COMMERCE]

RECOMMENDATIONS OF THE STEERING COMMITTEE ON THE
REPORT OF THE COMMERCE DEPARTMENT SUB-COMMITTEE ON
ITEM 1 (a) (i) OF THE TERMS OF THE REFERENCE OF
EXPERT COMMITTEE NO. 1

A copy of report of the Commerce Department Sub-Committee, as also of Expert Committee No. I's observations¹ thereon, is attached. The Steering Committee recommend that:

- a. Immediate administrative action in regard to staffing of Secretariat and Attached Offices of Pakistan's Commerce Department be based on the recommendations contained in Annexure V, paragraph 4,² of the Report.
- b. Administrative Control over the following offices be transferred to the Pakistan Government:
 - i. Office of the Special Officer, War Risks Insurance, Lahore.
 - ii. Office of the Principal Officer, Mercantile Marine Department, Karachi.
 - iii. Office of the Nautical Surveyor, Mercantile Marine Department, Chittagong.
 - iv. Office of the Seamen's Welfare Officer, Karachi.
- c. For the next three years, training facilities should be provided for Pakistan nationals at the Mercantile Marine Training Ship *Dufferin*, 12 seats being reserved for the purpose. In addition to the usual fees payable by the cadets, the Pakistan Government will be expected to pay the actual net cost of training at present estimated to be about Rs. 2,000 per annum per cadet.

*[Paras 2 & 3 omitted]*¹Annexure I.²Annexure III.

*Annexure I to Enclosure 7 to No. 199**F. 127/379-80*

No. 1/3/E.C.(I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
14 July 1947

MEMORANDUM

Subject: Report of the Commerce Department Sub-Committee as on
Item 1 (a) (i) of the Terms of Reference of Expert Committee
No. I

[1.] A copy of the report dated the 7th July 1947¹ of the Commerce Department Sub-Committee No. I on item 1 (a) (i) of the Terms of Reference is forwarded herewith. Expert Committee No. I has considered the Report and recommends it for acceptance, subject to the following comments:

[*Sub-paras (a) & (b) omitted*]

- c. The War Risks Insurance Office at Lahore should be taken over by the Pakistan Government while the other offices will remain with the Government of India. The Pakistan Government will also assume responsibility for the disposal of pending cases in Eastern Pakistan.
- d. No specific arrangement is necessary for the discharge of work in Pakistan relating to the Controller of Enemy Trading and Enemy Firms and the Custodian of Enemy Property and other similar offices for which no special provision is made. The work in this respect could be looked after by the Secretariat.
- e. The arrangements proposed regarding the payment of compensation to the widows and dependents of seamen killed by enemy action residing in Pakistan [are] being brought to the notice of E[xpert] C[ommittee] No. II.
- f. The arrangements proposed by the Sub-Committee for the training of cadets from Pakistan in the Indian Mercantile Marine Training Ship *Dufferin* should continue for a period of three years, subject to further negotiations between the two Governments.

2. It is understood that the Commerce Department Sub-Committee will be sending a further report regarding the organisation of the offices of the Chief Controller of Imports and Exports, and the Directorate of Seamen's Welfare.

3. The orders of the Partition Council are requested on the following points:

- a. The organization of the offices under the administrative control of the Commerce Department proposed for the Pakistan Government and the rest of India (para 4 and para 5 (b) of the Report.)²
- b. Arrangements for the training of cadets in the Indian Mercantile Marine Training Ship *Dufferin*.

P. V. R. RAO
M. AYUB
Secretaries

^{1&2}Annexure II.

Annexure II to Enclosure 7 to No. 199

F. 127/381-91

7 July 1947

REPORT OF THE DEPARTMENTAL SUB-COMMITTEE FOR
COMMERCE DEPARTMENT—UNDER EXPERT COMMITTEE NO. I

[1.] Para (a) of the terms of reference of Expert Committee No. I reads as follows :

To obtain and submit proposals in regard to the organisational consequences of Partition in respect of the administrative machinery, including

- i. the various kinds and grades of staff;
- ii. the necessary office equipment, furniture, stores, etc.,
- iii. the necessary records, documents, international agreements, etc. (which should be separated or duplicated).

Memorandum No. 1-EC (1), dated the 20th June 1947¹ from Expert Committee No. I further amplifies the terms of reference in the direction of requiring us to examine and report—

1. the various kinds and grades of staff required by the new Government to discharge the work that will arise in respect of subjects now allotted to the Department; and
2. what modifications will be necessary in the organisation of the existing departments consequent on the division of work.

[Para 2 omitted]

3. PROPOSED REQUIREMENTS OF STAFF OF THE PAKISTAN
COMMERCE DEPARTMENT AND CONSEQUENCES
OF PARTITION ON THE EXISTING COMMERCE
DEPARTMENT SET-UP

As these two problems are inter-linked, they are dealt with together.... We also attach herewith for purposes of elucidation the following statements :

[Sub-paras (a) & (b) omitted]

(c) Proposed set-up of the Pakistan Commerce Department—Annexure V.²

(d) Comparative summary of the strength of the Commerce Departments of the two Dominion Governments—Annexure VI.³

Briefly, it will be seen that the Departmental Secretariat of the new Pakistan Government is to have ten branches with 5 Under-Secretaries, 2 Deputy Secretaries, 1 Joint Secretary and 1 Secretary in addition to 3 Attached offices of the Economic Adviser, the Director of Statistics and the Director of Commercial and Administrative Intelligence. Of the 10 branches of the Secretariat, 9 are regular branches each under a Superintendent and consisting of 6 Assistants and 4 Clerks while the Establishment Branch, which will be a Service Branch dealing with Cash, Receipt and Issue, Library and appointments should, it is considered, have a large staff of at least 1 Superintendent, 5 Assistants and 25 Clerks. As regards stenographers, including the requirements of the Honourable Minister as well as leave reserve, it is considered that the number should be eleven. Further details of gazetted and non-gazetted staff are, as mentioned above, furnished in Annexure VI.⁴

4. As regards the Attached offices of the Economic Adviser, the Director Statistics and the Director of Commercial and Administrative Intelligence, our recommendations regarding their strength are set out in the statement below:

Economic Adviser		Director of Statistics		Director of Commercial and Administrative Intelligence	
Economic Adviser	1	Director of Statistics	1	Director, Commercial and Administrative Intelligence	1
Assistant Economic Adviser	1	Assistant Director of Statistics	1	Assistant Directors	3
Research Officers	2	Statistical Research Officers	2	Technical staff	6
Economic Assistants	6	Statistical Assistants	4		
Assistants	8	Assistants	6	Assistants	8
Clerks	15	Clerks	10	Clerks	10
and the usual complement of inferior staff.					

[Para 5 omitted]

I. CONTROLS

[Sub-para (1) omitted]

[6.] 2. OFFICE OF THE CONTROLLER OF ENEMY TRADING AND ENEMY FIRMS AND THE CUSTODIAN OF ENEMY PROPERTY

We recommend that on the date of separation the Government of Pakistan should assume responsibility for the administration of vested

enemy assets in their area. For this purpose they should enact legislation on the lines of the Trading with the Enemy (Continuance of the Emergency Provisions) Act, 1947.

3. OFFICE OF THE SPECIAL OFFICERS, WAR RISKS INSURANCE, LAHORE, BOMBAY, MADRAS, CALCUTTA

Here also our recommendation is that the Government of Pakistan should assume responsibility for the disposal of the three pending cases of evasion in Eastern Pakistan.

[Sub-para 4 omitted]

II. SHIPPING

1. MERCANTILE MARINE DEPARTMENTS, BOMBAY, CALCUTTA, MADRAS AND KARACHI DISTRICTS

With effect from the date of separation, the Offices of the Principal Officer, Mercantile Marine Department, Karachi and the Nautical Surveyor, Mercantile Marine Department, Chittagong, should be handed over to the Government of Pakistan.

As regards payments of compensation to widows and dependents of seamen killed by enemy action who are resident in Pakistan, we recommend:

- i. that all payments to beneficiaries resident in Pakistan from the 1st September 1947 should be made by the new Government of Pakistan;
- ii. that in consequence the share of the capitalised value due in respect of payments made by the Rest of India Government to these beneficiaries up to the 31st August 1947 should be taken into account in the Financial Settlement (the actual amounts are under calculation);
- iii. that the entire capitalised value in respect of payments made to residents in Pakistan from the date on which the payments originally fell due under the War Pensions and Detention Allowances (Indian Seamen etc.) Scheme of the 31st January 1942 (since replaced by the War Pensions-Indian Seamen-Scheme dated 21st November 1944) should be made over by H.M.G. to the Government of Pakistan. (A detailed list of such payments is under preparation for the information of both the future Pakistan Government and H.M.G.)

2. THE INDIAN LIGHTHOUSE DEPARTMENT

(a) Light vessels outside territorial waters off the coasts of Sind (L. V. *Sindhi*) and Arakan (L. V. *Thinvaw*).

Their administration should continue to remain with the Government of India.

(b) General Lights within territorial waters, Cape Monze Lighthouse, and Indus Beacon.

The administration should, with effect from the date of separation,

pass to the Government of Pakistan. For this purpose they will have to enact legislation on the lines of the Indian Lighthouse Act, 1927.

THE PERSIAN GULF LIGHTHOUSE SERVICE

Since the administration of this Service is likely to be taken over by H.M.G. shortly, the Committee recommend that the existing arrangements under which the Government of the Rest of India administer it may continue.

3. THE DIRECTORATE OF SEAMEN'S WELFARE AND THE OFFICES OF THE SEAMEN'S WELFARE OFFICERS, CALCUTTA, MADRAS, BOMBAY, AND KARACHI

The administration of the office of the Seamen's Welfare Officer, Karachi should pass to the Government of Pakistan.

4. THE INDIAN MERCANTILE MARINE TRAINING SHIP *DUFFERIN*

We recommend that the training of existing cadets from the Pakistan area should not be disturbed, but that, with effect from the date of separation, the Government of Pakistan should pay, besides the usual fees and other incidentals laid down in the Prospectus, the actual cost of training (about Rs. 2,000 per annum) per cadet.

As regards the future, we recommend that the Government of the Rest of India should reserve 12 seats (6 Executive and 6 Engineering) for Pakistan candidates, subject to the payment by the Government of Pakistan of the actual cost of training in addition to the usual fees and allowances. The number suggested is based on the average number of cadets admitted to the *Dufferin* from Pakistan areas since 1939 up to date.

The responsibility for post-*Dufferin* training and the placing of cadets from Pakistan (both existing [and] future) with Shipping Companies should be, assumed by the Government of Pakistan.

III. TRADE AND COMMERCE

[Sub-paras (a) to (d) omitted]

As the Pakistan Government prefer to set up their own trade representation abroad, they will, on the date of separation, make their own arrangements for such representation in the countries with which they desire to establish diplomatic relations.

[Sub-paras (a) to (e) about India omitted]

IV. MISCELLANEOUS

(A) THE OFFICE OF THE SUPERINTENDENT OF INSURANCE, SIMLA

Here also we recommend that the Pakistan Government should have their own Insurance Act. As an interim arrangement, however, our suggestion is that the Government of the Rest of India should, till

the 31st March 1946 [*sic* for 1948], agree to administer, on behalf of the Government of Pakistan, the Indian Insurance Act, 1938. This does not involve any joint administration. The Government of Pakistan will have to share expenses on an agreed basis. For this purpose the Pakistan Government should, on the date of separation, issue an Order in Council agreeing to the Superintendent of Insurance in India exercising his jurisdiction in respect of the Pakistan area as well till the 31st March, 1948.

(B) OFFICE OF THE TEA CONTROLLER FOR INDIA

As this office is maintained by His Majesty's Government, it is for that Government to consider whether the present organisation should function for the Rest of India or for both Pakistan and the Rest of India.

[Sub-paras (i) to (iv) omitted]

We recommend that the Government of the Rest of India should, till the 31st March, 1948, agree to administer these acts on behalf of the Government of Pakistan. This of course does not involve any element of joint administration. The Government of Pakistan will be required to share the expenses incurred on an agreed basis.

Summing up our recommendations are that:

(a) The Government of Pakistan should enact legislation on the lines of the Trading with the Enemy (Continuance of the Emergency Provisions) Act, 1947 in order to assume responsibility for the administration of vested enemy assets in their area.

(b) The Government of Pakistan should enact legislation on the lines of our existing War Risks Insurance Ordinances with a view to disposing of pending cases of evasion in Eastern Pakistan.

(c) They should enact legislation adopting as an interim arrangement the Indian Merchant Shipping Act, 1923 and the Indian Lighthouse Act, 1927. Thereafter they should consider framing such Acts of their own.

(d) They should enter into an arrangement with the Government of the Rest of India for the reservation of 12 seats on the Training Ship *Dufferin* for their own candidates on the terms mentioned earlier.

(e) They should, for the interim period, issue an Order in Council bringing into force in Pakistan with such modification as may be required:

- (1) the Trade Marks Act, 1940
- (2) the Insurance Act, 1933
- (3) the Indian Merchandise Marks Act, 1889
- (4) the Indian Companies Act, 1913
- (5) the Indian Tea Cess Act, 1903
- (6) the Indian Tea Control Act, 1938

[8] ITEM (A) (II) OF THE TERMS OF REFERENCE

A complete list of office equipment and furniture in the Department

as well as in Attached and Subordinate Offices has been tabulated.⁵ Details with regard to the remaining offices will be despatched as soon as they are available. We recommend that Expert Committee No. I should first estimate the total requirements of the office equipment and stores required by the Pakistan Government and having done so, that they then ascertain what articles of surplus furniture are available from the D. G. Disposals and the C.P.W.D. If the entire requirements of the new Governments cannot be met from these sources, the Committee should then fix a quota for each Department on an over-all basis.

[9] ITEM (A) (III) OF THE TERMS OF REFERENCE

The necessary lists of files from 1939 to 1947 which have so far been received from the Attached and Subordinate Offices are enclosed.⁶ These lists have been checked in accordance with the directive at (e) of Memorandum No. 1-EC (1) dated the 20th June, 1947.⁷ Those files which in our opinion should have priority as regards duplication have been marked "Important".

As regards documents, we have besides the files and the recorded proceedings, service books, and personal files of the staff. As soon as it is finally known which members of the staff will be taken over by the Pakistan Government, steps will be taken to separate the relevant documents and to transfer them to that Government.

A list of the several international agreements to which India is a party and which is required to be submitted to Expert Committee No. IX is also enclosed.⁸

We wish to point out in this connection that it will not be difficult to supply copies of printed proceedings but that the necessary steps for the duplication of other records of joint interests to both the Governments should be taken by the Government of Pakistan. The question of photostats being taken was considered but ruled out in view of the expenses and the absence of suitable machinery for the purpose. Duplication by manual process will therefore be required.

A. A. SAID
V. C. TRIVEDI
M. IKRAMULLAH
K. K. CHETTUR
Members

M. A. GHANI
J. N. DUTTA
Secretaries

⁵Not traced.

⁶Annexure III.

⁷^{and} Annexure IV.

⁸Marked "Not attached" in the original.

⁹Not traced.

¹⁰See notes 5 & 6 above.

Annexure III to Enclosure 7 to No. 199

F. 127/392

PROPOSED SET-UP OF THE PAKISTAN COMMERCE DEPARTMENT

Deputy Secretary		Secretary		Deputy Secretary		Joint Secretary			
Under-Secy.	Under-Secy.	Under-Secy.	Under-Secy.	Under-Secy.	Under-Secy.	Under-Secy.	Under-Secy.		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1. Shipping		3. Miscellaneous		5. Controls		7. Trade treaties, Tariffs and International Conferences, Commodity Agreements & Conferences		9. Trade with India	
Shipping Policy		(i) Reparations		(i) Import Trade Control				10. Trade with all other Countries	
(a) Coastal Traffic		(ii) Insurance & Law of Insurance		(ii) Export Trade Control					
(b) Registration of Shipping		(iii) Enemy trading & Custodian of Enemy Property		8. Internal Trade					
(c) Foreign Shipping				(a) Western Pakistan		8. Consular and Commercial Representation			
(d) Training in the Mercantile Marine		(iv) Accountancy		(b) Eastern Pakistan					
(e) Lighthouses		(v) War Risks Insurance		(c) Mutual Intelligence & Statistics Reference from					
2. Mercantile Marine				(a) the Economic Adviser					
(a) Mercantile Marine		(vi) Trade Marks & Merchandise Marks		(b) the Director of Statistics					
(b) Shipping Offices		(vii) Company Law, excluding Banking Law		(c) the Director of Administrative Intelligence Room					
(c) Surveyors or other technical staff		4. Administration		(d) Reference and Research					
Seamen's Welfare		Cash							
Compensation		Receipt & Issues							
Scheme for Shipping Offices and Seaman		Library, etc.							
		Appointments, etc.							

Annexure IV to Enclosure 7 to No. 199

F. 127/393

SUMMARY OF THE SET-UP OF THE EXISTING GOVT.] INDIA
COMMERCE DEPARTMENT SECRETARIAT
AND THE PROPOSED COMMERCE
SECRETARIAT OF THE PAKISTAN GOVT.

No.	Officers	Existing	Proposed for Pakistan
1.	Secretary	1	1
2.	Addl. Secretary	1	-
3.	Joint Secretary	3	1
4.	Deputy Secretary	6	2
5.	Under-Secretary	6	5
6.	Assistant Secretary	6	-
7.	Officer on Special Duty	13	-
8.	Technical Officers	13	-
9.	Gazetted Supdts.	15	10
10.	Stenographers	25	11
11.	Assistants-in- Charge	11	-
12.	Branches	29	10
13.	Assistants	124	59

14.	Clerks & Typists	166	61
15.	Technical Assistants	2	-
16.	Commercial Investigators	4	-
17.	Accountants	2	-
18.	Draftsmen	1	-
19.	Chauffeurs	1	-
20.	<i>Jamadars</i>	6	3
21.	<i>Dafadars</i>	9	3
22.	<i>Daftries</i>		
23.	Record Sorters]	36	15
24.	Peons	143	54

Enclosure 8 to No. 199

F. 127/394

Undated [July 1947]

ITEM 7—FILES REQUIRED BY THE PAKISTAN GOVERNMENT
RECOMMENDATION OF THE STEERING COMMITTEE ON EXPERT
COMMITTEE NO. I'S MEMORANDUM NO. 1/EC(1),
DATED 18 JULY 1947

The attached Memorandum sets out Expert Committee No. I's instructions in regard to the arrangements to be made for supplying the files required by the Pakistan Government and is submitted for Partition Council's information.

[H. M. PATEL
MOHAMMAD ALI]

Annexure to Enclosure 8 to No. 199

F. 127/395-6

No. 1/E.C. (1)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
18 July 1947

MEMORANDUM

Subject: Files Required by the Pakistan Government

Reference this Committee's Memoranda¹ Nos. 1/E.C.() dated the 24th June 1947 and dated the 3rd July 1947 regarding compilation and

classification of files. The procedure to be followed in making available to the Pakistan Government the files it needs has been further examined and the following instructions are issued for the information of the Departmental Sub-Committee:

A. CURRENT FILES

- i. All current files classified by the Sub-Committee as being of interest to the Pakistan Government only should be segregated and kept separately for being handed over to the representatives of the Pakistan Government.
- ii. All current files that are classified by the Sub-Committee as of interest both to the Pakistan Government and to India should be duplicated immediately. Departmental Sub-Committees should arrange for the allocation of staff, typewriters and other facilities for the purpose of duplication with the help of the Secretaries to the Departments concerned. In making copies of files the classification made in pursuance of paragraph 2 of this Committee's Memorandum dated the 3rd July 1947 referred to above should be borne in mind. Files classified "most urgent" should be duplicated first; then the files classified as "urgent" and after all files of these two categories have been duplicated the work of duplicating the remaining current files of common interest should be undertaken.
- iii. Where the Departments are unable to allocate a sufficient number of typists and comparers for the purpose of duplicating work, they will no doubt consider the desirability of employing persons who are required for the regular work of the Department on this work outside office hours and paying them overtime for the purpose.
- iv. The files segregated under clause (i) above and copies of the files referred to in clause (ii) above should be handed over to the Muslim members of the Departmental Sub-Committee. A list of files so handed over should be retained for purposes of record.

B. RECORDED FILES

- i. Arrangements are under consideration for the printing of all recorded files classified "A" under Secretariat Instructions. Departmental Sub-Committees are requested to make arrangements for the editing of these files and for preparing them for printing. The files should, however, not be sent to the Controller of Printing and Stationery until further orders.
- ii. One copy of all printed recorded files as are in the opinion

of the Sub-Committee of interest to the Pakistan Government should be made available to the Muslim members of Departmental Sub-Committee who will take charge of them on behalf of the Pakistan Government.

P. V. R. RAO
M. AYUB
Secretaries

All Departmental Sub-Committees of Expert Committee No. I.
Copy for information to the Partition Office.

¹Not traced.

200

Mirsahbaq Khan to M. A. Jinnah

Telegram, F. 908/109

KARACHI,
19 July 1947

Quaid-i-Azam Jinnah, New Delhi,

Nawab Kharan and Jam Lasbela left to meet you. Their case going to be submitted by highly paid Sindhi person. They wish misguide you and create friction between Pakistan Government and Kalat. Please be careful.

MIRSAHBAQ KHAN
*Secretary, Anjuman-i-Islamia,
Quetta*

201

*Eric Mieville to M. A. Jinnah**F. 2/239*

No. 1446/3

THE VICEROY'S HOUSE, NEW DELHI,
20 July 1947

Dear Mr. Jinnah,

H. E. the Viceroy has asked me to inform you of the result of the N.W.F.P. Referendum as soon as it was received. H. E., as you know, has gone to Lahore today.

2. The result of the Referendum is as follows:

a. Valid votes for Pakistan	289,244
b. Valid votes for India	2,874
c. Majority	286,370
d. Percentage of valid votes to electorate entitled to vote was	50.99%
e. Valid votes cast in last election were	375,989
f. Total electorate entitled to vote in the Referendum was	572,798
therefore votes for Pakistan were	50.49%

3. The above information is being released to the press at 5.30 p.m. today, Sunday.

Yours sincerely,
ERIC C. MIEVILLE

202

*Eric Mieville to M. A. Jinnah**F. 2/254*VICEROY'S CAMP, INDIA,
20 July 1947

Dear Mr. Jinnah,

The Governor of the Frontier Province has reported to me the result of a lengthy conversation which he had with Dr. Khan Sahib and Khan Abdul Ghaffar Khan on the 14th July. Abdul Ghaffar Khan said that he would like to meet you and would be prepared to negotiate on the

following terms which, if you accepted them, would result in his Party accepting Pakistan:

- i. Complete provincial autonomy for the Province in all matters except defence, external affairs and communications.
 - ii. The right of any party to move for the secession of the Province from the Dominion, in the same way that a Dominion has the right to secede from a Commonwealth, should it so desire.
 - iii. That it should be open to areas contiguous to the Province, which are included in the present boundaries of British India and are inhabited by Pathans, to ask to become part of the N.W.F.P. and, if they do, be included in it.
2. Will you kindly let me know whether you would be willing to meet Abdul Ghaffar Khan and discuss an agreement on this basis, so that I can inform the Governor?

Yours sincerely,
ERIC C. MIEVILLE

203

Eric Mieville to M. A. Jinnah

F. 2/238

PERSONAL
[No.] 90/11

THE VICEROY'S HOUSE, NEW DELHI,
20 July 1947

Dear Mr. Jinnah,

H.E. the Viceroy, who is away today (Sunday) at Lahore, has asked me to let you know that Lockhart has just telegraphed him to the effect that all present information including private talks with Ministers indicated that the Frontier Ministry has no intention of resigning. He added, however, that Dr. Khan Sahib had indicated yesterday (Saturday), in private conversation, that if he could be assured that a general election would be held in the reasonably near future he would resign.

H.E. the Viceroy asked me to let you have this for your personal information.

Yours sincerely,
ERIC C. MIEVILLE

204

Abdur Rahman to M. A. Jinnah

F. 11/1

CAMP DAR-UL-KHAIR, ABBOTTABAD,
20 July 1947

Respected Sir,

I take the liberty of submitting four articles herewith for your information. Two of these articles deal with the economic development of the N.W.F.P. and the Tribal Areas, the third with similar problems in the rest of Pakistan, and the fourth on the development of irrigation in Afghanistan.

I am a Pathan belonging to the Hazara District, N.W.F.P. and am a Muslim Leaguer. After 30 years of service in the N.W.F.P. P.W.D., including Buildings and Roads and Irrigation, I retired last year as Superintending Engineer. At present I am serving as Superintending Engineer, P.W.D., Bahawalpur. Sardar Abdur Rab Nishtar knows me very well.

I have special experience and knowledge of the irrigation and other development problems in the N.W.F.P. and the Tribal Areas. At the request of the N.W.F.P. Government, I wrote a pamphlet entitled *Notes on the N.W.F.P. Irrigation* last year.

In my humble opinion the announcement and the launching of a comprehensive economic development programme in the N.W.F.P. and in the Tribal Areas, with the consent of the Tribes, would greatly ease the political situation. In this connection my humble services will be at your entire disposal if required.

The articles under reference contain only a very brief description of the problems involved. I can submit further details orally or in writing, if so desired.

With regards and respect,

Yours sincerely,
ABDUR RAHMAN
*Superintending Engineer,
P.W.D., Bahawalpur*

*Enclosure 1 to No. 204**F. 11/2-6*

I

THE DEVELOPMENT OF PAKISTAN—N.W.F.P.
BY
K[HAN] BIAHADUR] ABDUR RAHMAN KHAN

BORDER DEFENCE

With the change of regime in the N.W.F.P. it will no longer be necessary to maintain, at any rate in the same strength as at present, the forces of Tribal *Khassadars*, Scouts, Militia, Levies, Frontier Constabulary, and Additional Police. While this will mean a substantial saving in expenditure, it will also raise the problem of providing for the personnel thus thrown out of employment. All these fine men and excellent soldiers could, with advantage, be absorbed in the regular army. There will, probably, be no substantial reduction initially, in the Tribal allowances. These will depend on the new treaties to be made with the tribes.

IRRIGATION

The next most important problem awaiting urgent attention is that the N.W.F.P. is a deficit province in the production of food grains. The question of increasing the food resources of the province is mainly that of bringing additional area under irrigation. At present the total annual irrigation figures in the N.W.F.P. are only 4,75,000 acres. All the major perennial rivers in the province have already been tapped to the full for irrigation. There are, however, possibilities of doubling the present irrigable area, and thus solving the food problem of the province, by constructing dams on the hill torrents, for irrigating high quality *barani* lands, in the D. I. Khan, Bannu, Kohat, and Peshawar Districts. The writer of this article has given full details of these Projects, in his *Notes on the N.W.F.P. Irrigation*, written last year, on his retirement from the N.W.F.P. P.W.D., and submitted to the N.W.F.P. Government. Funds for the expensive dam projects can be partially raised from the purchase, by the Government, of a portion of the commanded lands at current cheap prices, and resale after the introduction of irrigation. Or, alternatively, some of the adjoining tribes, principally the Wazirs and Mahsuds can be settled on those lands.

INDUSTRIES

A large percentage of the cultivated area in the Peshawar Valley, comprising the Peshawar and Mardan Districts is already under intensive irrigation, and is crying for industrial development. There is only one

small sugar factory in operation, and another bigger one is under way, but there is scope for many more, owing to large annual acreage under sugar cane, about 100,000 acres. The Peshawar Valley grows excellent fruit of various kinds, such as peaches, plums, pears, apricots, grapes and oranges, and there is great scope for bringing additional area under fruit cultivation, and for starting canning and fruit drying industries. There is also scope for match factories, tanneries, and marketing facilities. Also glass, match and pencil factories in Hazara District.

HYDRO-ELECTRIC POWER

Another important item is the increase and extension of the hydro-electric power of the Malakand Station: in [sic] Peshawar, Mardan, Kohat and Hazara Districts. With the development of industries, there is vast scope for further increase in hydro-electric power in the N.W.F.P. Another hydro-electric station of equal power as the existing one, can be built on the Upper Swat Canal a few miles below Malakand. The Kunhar River in the Hazara District and a bend in the Indus River in the Tribal Territory are some of the other likely spots for generating large amounts of hydro-electric power.

METALLED ROADS

The question of the extension of metalled roads in the province is of the highest importance. A Roads Project for about Rs. 9 crore on the lines of recommendations [made] by the Chief Engineers Nagpur Conference was framed for the N.W.F.P. in 1945. This was whittled down by the Government of India to about Rs. 5 crore, out of which about Rs. two crore only were promised during the first five years. For past strategic reasons, the N.W.F.P. is adequately provided with national and provincial highways. A large extension of village and district roads is necessary, particularly in the thickly populated areas of Peshawar, Mardan and Hazara Districts to facilitate transport of agricultural produce to town markets, at economical cost. The gain to the zamindar in the saving in carriage costs, alone, would repay the outlay on roads in a few years.

AGRICULTURE

In addition to the possibilities for increase in area under fruit orchards owing to the high water allowances on the N.W.F. canals, there is scope for improving the quality of fruit by importing superior quality fruit plants from foreign countries. Tobacco growing, with the allied industries of cigarettes and cigars manufacture, has great possibilities in the Swabi Tehsil, where thousands of acres of fine quality tobacco are already grown. It is however, necessary to import superior quality seeds from Madras, Virginia, and other foreign countries. There is

great scope for growing the Chinese Tung tree plantations [*sic*], for extracting oil, in the belt of the country with a rainfall of over 30 inches per annum. Some of these trees planted in Mardan since 1931, are yielding adequate weight of fruit to justify the introduction of Tung plantations on a large scale. Improved wheat seeds from the Punjab were introduced in the province long ago, but no attempts have yet been made to import improved maize varieties from the U.S.A. and Mexico. Sheep raising is an important industry of the province, mainly for the consumption of meat. Half-hearted attempts have been made in the past to import a few marino rams, from Australia, to improve the breed for wool. There are also great possibilities for improving the poultry stock in the province, which exports eggs in large quantities to other provinces and abroad.

FORESTS

The forest resources of the province, in the Hazara District, the canal and road plantations, and in the various Tribal Territories north of Kohat are great. The present activities of the Department are mainly directed to exploitation. The maintenance of the existing forests by replantation is being attempted only in the settled districts. By suitable treaties, the forests in the Tribal Territory should be brought under the control of the Government. Moreover, ruthless exploitation during the past centuries has denuded the hills in the settled districts of all trees and shrubs. Even grass is dying out by the depradation of goats. In Buddhist times all these hills were clad with pine, olives, *palosa*, and various shrubs. And in consequence, the foothills of the Peshawar and Hazara valleys teemed with springs, populous villages and fruit orchards. It is the sacred duty of the present and future generations to restore forests on these ravaged hills, by adopting a replanting policy lasting through centuries. This will improve local rainfall, stop violent floods and ravining [*sic*] and bring back untold wealth to the province.

MINERALS

The oil, salt, inferior coal, and sulphur bearing eocene tertiary strata are exposed in the southern half of the province including the tribal belt, at various places and lie under ground, not far from the surface in the adjoining tracts. There are, consequently, great possibilities for finding oil. The salt mines in the Kohat District are already a great asset, and are capable of expansion. In the more ancient Primary Rocks, in the Hazara District, and in the tribal belt of Amb, Swat, Buner, Dir, Kohistan, and Chitral, various other minerals, such as antimony, lead, alum, graphite, inferior coal, ochres, mica, pyrites, and marble are known to exist in considerable quantities. Road materials of excellent

quality are available in all parts of the province in abundance. This is an important economic asset with reference to new road projects. Gold exists in the sands of the Indus River and its tributaries in minute particles, brought down from the Igneous Primary rocks. It is to be noted that gold was the chief item of tribute paid by the Punjab satrapy to Darius the Great and the River Indus was the only source of supply.

MEDICAL

The crying need of the province is the provision of rural dispensaries. The tragic sight of a seriously ill patient being carried on a *charpai* for miles to the nearest town dispensary is all too common. Sanitation in the villages simply does not exist. No attempt has yet been made, even in large villages to build *pucca* drains in streets and lanes. There is only one hospital worth the name, in the whole province, viz.: The Lady Reading Hospital at Peshawar. The idle rich owe a great duty to their fellow citizens, in the matter of providing charities for building more hospitals for men and women in the towns and villages. The necessity for providing rural water supplies in the southern districts is most pressing. It is a scandalous sight to see village women trudging for ten or fifteen miles daily to bring the precious drinking water to their homes, from shallow holes in distant dry streams, in the terrific heat of summer and the intense cold of winter.

EDUCATION

The idea of the Peshawar University is in the air for some time past. There is nothing wrong with the idea. It has been suggested in some quarters, however, that a start should be made with the creation of a separate Examining Body. An Examining Body is the apex of the structure of a University. The foundations must first be built, in the shape of the institutions suited to the educational and industrial needs of the area served by the University. For instance, the proposed developments of irrigation, roads, public and industrial buildings and hydro-electrics would demand the creation of an Engineering College. Similarly the creation of Agricultural, Veterinary, Medical, Law and Training Colleges and Science and Technical Institutes, would be indicated along with the economic development of the country. The University would follow automatically. In the field of pure education, a balance would be struck, between Primary, Secondary, and University Education. Free and Compulsory Primary Education should have the very first priority. Compulsory literacy for the adult masses, on mass production principles, should also have a high priority. Finally, a large number of students would have to be sent out to foreign countries for higher technical training.

COSTS

It would be inaccurate and misleading at this stage, to name a specific figure of cost to carry out the development programme outlined above. The development should be carried out in a number of five year plans. The annual allotments would depend on the capacity of the province in skilled personnel, and availability of materials. The allotments would increase with the increased resources of the province. With the development of agriculture, communications, industry and trade, the province would become self-supporting in a few years, and highly prosperous in the near future.

Enclosure 2 to No. 204

F. 11/3-8, 11-4

II

THE DEVELOPMENT OF PAKISTAN—THE TRIBAL AREAS

BY

K[HAN] B[AHADUR] ABDUR RAHMAN KHAN

WAZIRISTAN

Waziristan consists mostly of barren hills and plateaus, exposed to extreme of heat and intense cold. Crop cultivation is confined to the fertile lower Tochi Valley in North Waziristan, and small patches in the Tank Zam torrent bed. There is some cultivation by *karezes* [underground canals] in the Wana Plain. The wide Gumal Valley Basins are entirely devoid of cultivation. The percentage of cultivated area in Waziristan is extremely small. Sheep raising is an important occupation. Young fir and pine saplings from the slopes of the timber clad Parigal Range are being mercilessly cut down, and exported to D. I. Khan and Bannu. The Wazirs and Mahsuds inhabiting Waziristan are a fine, handsome and manly race. Men and women are equally hardy. They have a quick intelligence and take eagerly to mechanical occupations.

There is much scope for the extension of crop cultivation by *karezes* and artesian tube-well bores in the Wana and Zarmilan plateaus in South Waziristan and by flow-irrigation in the Gull Kachh, and Spinkai Kachh Basins from the Gumal River, the Spin Plain from the Wana Toe, the Palosina Plain from the Tank Zam and in the Sheratalla Plain from the Kurram River. The magnificent Razmak plateau, at present a bone of contention between the Wazirs and Mahsuds and lying uncultivated, can raise *barani* maize crops or mulberry tree plantations for

sericulture. The aggregate culturable area under all these plains would be over 75,000 acres, which if developed would make an appreciable difference in the economic life of Waziristan. There is great scope for increase in fruit cultivation in Tochi Valley where purple grapes and figs of the finest variety are already grown on a small scale.

Another important and profitable item is the improvement in the stock of sheep, by importing Merino rams from dry tracts of Australia.

The possibilities of salt and oil should be explored in the Eocene belt running through Waziristan. This is a narrow strip connecting Hathi Khel Territory, Kotkai, Nili Kachh, Khajuri Kachh, and Mughal Kot on the Zhob River in Baluchistan.

If the afforestation policy of the Gumal and Tank Zam catchments is adopted in conjunction with the Gumal cum Tank Zam Dam Project, some of the tribesmen would be absorbed in that occupation. Some tribesmen could be settled in the D. I. Khan and Bannu plains, on the lands commanded by the above mentioned Dam and Canal Project. Lastly a certain percentage would be absorbed in the army and some would migrate to N.W.F.P. and the Punjab to take up skilled occupations.

The network of excellent strategic roads, complete with bridges and forts existing in Waziristan is likely to prove a great asset to that territory. The forts can be turned into schools and hospitals. The introduction of education and medical relief is the prime necessity in Waziristan, as elsewhere in the tribal territory.

KURRAM VALLEY

The length of the Kurram Valley falling within the Kurram Agency is about 80 miles with average width of 20 miles. In the last 30 miles length the valley widens out to a breadth of 30 miles, forming the Parachinar plateau, with average elevation of 6,500 feet. The northern side of this plateau is flanked by the magnificent Koh-i-Safaid Range, presenting at close range, a grand panorama of snow clad peaks, rivalled only by the Pir Panjal Range, dividing the Punjab and Kashmir.

The Kurram River basin within the valley raises intensively irrigated crops. The foothills of the Safaid Koh range are dotted with populous villages, with richly irrigated lands, fed from numerous snowfed streams. There is also *barani* cultivation in the lower parts of the valley. The extensive Parachinar plateau, with an area over 30,000 acres is however, bare and devoid of cultivation. On this high plateau the summer is said to be all too short for raising *kharif* crops. This is a problem for the agricultural experts. The writer would suggest planting of hardy varieties of mulberry trees for sericulture. Such plantations have proved a success on the

barani silt mounds dotted about in the Kashmir Valley. The high parts of the Kurram Valley raise high grade pomegranates, apples, and apricots, and the lower parts fine quality oranges. There is a great scope for fruit cultivation in the valley. Many spots on the middle and lower heights of the Safaid Koh Range are eminently suited for delightful summer resorts which could rival Gulmarg.

A magnificent metalled and tarred motor road connects Parachinar with Thall and Kohat. There are also many strategic branch roads. A motorable road link with Afghanistan, over the Paiwar Pass is desirable. Schools and hospitals are the immediate need of the valley.

TIRAH

This is a closed territory to foreigners. Inhabited by the valiant Orakzais and Afridis, it comprises the three valleys of Bazaar, Mastura, and Bara streams, starting from the Safaid Koh, and emerging into Kohat and Peshawar plains. A bird's eye view of the country from the Fort Lockhart ridge, reveals a succession of green ridges and broad valleys, the hills covered with scrub and grass, but denuded of forests. *Barani* crops are raised along the valley slopes, with small irrigated patches in and along the torrent beds. Excellent fruit is said to be raised in the higher regions. The immediate need of the country is the construction of motor roads with the consent of the tribes and thus linking it up with the outside world. Road projects have already been worked up [*sic*] by the Government of India. Schools and hospitals take the next priority. The development of agriculture and trade would follow.

KHYBER

The Khyber Agency comprising the famed Khyber Pass, with the flanking ridges, is 36 miles long from Jamrud to Landi Khana on the Afghan border. The highest point of the Pass is crossed at Landikotal. Cultivation in the pass is precarious and chiefly *barani*. There is little scope for agricultural development. The chief source of income to the Afridis inhabiting the pass must be the fees for keeping the pass open to traffic.

MOHMAND COUNTRY AND BAJAUR

This is also a closed territory. Geologically this region lies in the upper zones of the Primary Rocks, and is likely to contain minerals. Grey marble is found in the Mullagori hills south of the great Kabul River bend. The Mohmand and Bajaur lands are poor in quality comprising low barren hills, alternating with broad dry valleys and plains. The torrents are small and unimportant. The crops raised are chiefly *barani*.

The people are poor and migrate in large numbers to the adjoining rich Peshawar plain where they serve as casual labour and as highly successful land tenants. The writer considers that small dam schemes on the hill torrents would greatly improve agricultural conditions in this tract. The country is devoid of motor roads except a short length built up the Gandab Valley during the Mohmand operations of 1935. This road needs to be extended and linked up with the road system in the Malakand Agency. Schools and hospitals are the prime need as elsewhere.

DIR

The Dir is a long and narrow valley watered by the Panjkora River, an important sub-tributary of the Kabul River. In its upper reaches, the hill slopes are covered with dense rich forests of pine and *deodar*. Every available patch in the river bed and along the steep slopes has been beautifully terraced, and is under irrigated crops. A fine gravel road, 80 miles long runs along the Panjkora Valley up to Loari Pass, leading to Chitral. Dir is a pretty self-supporting contented State, ruled by the Nawab of Dir, who commands respect and affection amongst his subjects. Schools and hospitals are a prime necessity. At the tail end of the valley, there is a likely dam and reservoir site on the Panjkora River for storing its flood waters which could fit in with the general development scheme for the Punjab, on the lines of the Tennessee Valley Authority. Minerals are likely to be found in the hills flanking the valley.

SWAT

This is an L shaped valley, watered by the Swat River, an important tributary of the Kabul River. The Swat River has its origin in the same snow clad range which gives rise to the Panjkora, and runs more or less parallel to the Dir Valley, though it is bigger and wider.

In scenic beauty, fertility of soil, abundance of water, and in richness of forests, this valley, rivals the valley of Kashmir, on a smaller scale. In the Buddhist times, the valley was named Uddiana (the Garden) and teemed with populous villages, fruit orchards and temples.

After decades of internal strife, peace has at last been restored to the valley by the present ruler, a remarkable personality, the famous Wali of Swat, and his able son and *waliahad*, Prince Jahanzeb. Both father and son are keenly alive to the necessity of opening up the country, by building motorable roads and bridges, introducing schools, hospitals and increasing irrigation. An Irrigation Project of many thousand acres has been worked out and awaits execution. Trade is flourishing. The

state exports surplus grains, ghee, honey and forest produce including timber. It is hoped, political liberty to the people will follow in the wake of economic prosperity. The State lies well within the Primary Eras of Rocks, and should be rich in minerals.

The lower reach of the Swat Valley is included in the Malakand Agency. The head-works of the Upper Swat Canal, a beauty spot, are located here. It also has the magnificent Malakand Fort on the Malakand Pass. There is a high school at Thana, an important village. In scenic beauty and fertility, this part of the valley is on a par with the upper portion.

BUNER

Is a small territory lying between Swat State and the Mardan District. It comprises a series of broad plains divided by hill chains. The crests of hills and their northern slopes are covered with pine forests. The plains grow excellent *barani* crops. Sizeable perennial streams, which could irrigate most of the level lands flow through the plains. The people, however, are too backward to appreciate the benefits of irrigation. The hill chains lie in the mineral zone. Buner contains the shrine of the Pir Baba Sahib, a famous place of pilgrimage. The territory is ruled by the Wali of Swat. A motorable road built by the M.E.S. at the request of the Wali runs through the territory.

KOHISTAN

Kohistan comprises a large strip of tribal territory, divided into two halves by the Indus River. The western strip adjoins the Swat State, and the eastern strip the Hazara District. The country on both sides of the Indus, consists of deep and narrow, thickly wooded valleys, meeting the Indus River crosswise. The Kohistanis belong to the original Indian stock, who were expelled from Swat and Bajaur into Kohistan by Alexander the Great. Subsequent Greek domination has left many traces of Greek culture among the people. Peasant women name their sons after Greek gods. The country is a complete backwater. The people practice simple Islamic faith, and *Mullahs* wield great influence. There are no motorable roads. Ghee, honey and forest produce, the chief objects of export, find their way out of the country by bridle paths through Swat and Hazara. The country has great potentialities in forests, minerals, and milk products. The Pathan tribes occupying territory on both sides of the Indus River lower down, are similarly situated as the Kohistanis.

AMB

This is an interesting and pretty little State, occupying a large slice of Hazara District, and a strip of independent territory across the

Indus. It is ruled by the Nawab of Amb, an enlightened Ruler, who takes keen interest in the uplift of the people of his State. The State is rich in forests and minerals. The Nawab is anxious to develop the mineral resources of the State. Motorable roads exist in the State. More are being constructed.

CHITRAL

The most important State of the N.W.F.P. sprawls along its north-western boundary for a length of 200 miles, with average width of 40 miles. The main ridge of the Hindu Kush Range, with many peaks over 20,000 feet, and the Trich Mir, over 25,000 feet, form its northern boundary. It is drained by the Kunar River, the most important tributary of the Kabul River, and its sub-tributaries. The State is cut off from the rest of the world, except through the Kunar Valley which links it with Afghanistan. Passes over 13,000 feet lead to Badakhshan Province of Afghanistan, and Gilgit. The direct connection with the N.W.F.P. is via the Loari Pass, over 10,000 feet high. Motorable roads, through Dir and Chitral have been made on both sides up to the Pass, across which a mule track is maintained. A tunnel across the Loari Pass, and a motorable link for a short length along the Kunar River in the Afghan territory, are a prime necessity, for linking the state to the N.W.F.P. and Afghanistan, respectively.

The average elevation of the Chitral valley is 5,000 feet, with bracing climate. Fine *Rabi* and *Kharif* crops, both *barani* and irrigated are raised in the valley. Fruits of excellent quality are grown. The State is rich in minerals, one of which is already exported by a Parsi firm. The development of agriculture, minerals and trade, is however throttled by the absence of motorable links noted above.

The State is ruled by the Mehtar of Chitral, himself an enlightened ruler, and heir to three generations of pious, God fearing and able rulers.

Enclosure 3 to No. 204

F. 11/15-7

III

THE DEVELOPMENT OF PAKISTAN

BY

K[HAN] B[AHADUR] ABDUR RAHMAN KHAN

The development problems in the N.W.F.P., and the Tribal Areas, have been briefly touched in the first two articles of this series. This article, the last of the series, takes a bird's eye view of similar problems in the Punjab, Bahawalpur, Sind and Baluchistan.

PUNJAB

The development of the Punjab should be planned on the lines of the Tennessee Valley Authority, comprising the construction of dams, hydel stations, power transmission lines, canals, roads, railways, townships, and industries all together. The existing canals, roads, railways, etc., should be made to fit in with the general scheme.

The actual construction should be based on a number of Five Year Plans. Priorities should be fixed for the execution of individual items.

Dam schemes for a number of sites on the Sutlej, Beas, Ravi, and Chenab Rivers are already under the consideration of the Punjab Irrigation Department. Work on the Bhakra Dam on the Sutlej has been started. One of the problems before the present Boundary Commission for the East and West Punjab will be the apportioning of the waters of the Sutlej River, between the two Punjabs and Bahawalpur State. Dam and reservoir sites on the Jhelum and the Indus and their tributaries remain to be investigated.

BAHAWALPUR

The remarks below are written in a personal capacity without prejudice to the decision of Bahawalpur State to declare its independence or join Pakistan.

Construction of metalled roads is one of the primary needs of the State. Road materials, such as stone ballast, soling stone, *bajri*, and tar and bitumen must come from outside the State, from the West Punjab and Sind. Steel, coal, cement and timber must also likewise be imported from abroad, for the construction of buildings and the development of industries of which a start has been made. Cheap power for industrial development is another prime necessity. This would have to be arranged either from the proposed hydel plants in West Punjab, or by the development of thermal plants in the State by using diesel oil. In the field of irrigation, the first consideration is to secure a share of the stored supplies in the proposed Bhakra Dam for the State. Schemes of large tube-well installations along the existing main canals, and along the left bank of the Sutlej River within the State await the arrival of cheap power. The development of the desert areas of the State is another major project in view. Lastly, agricultural development and afforestation on a large-scale are also being planned. Prospecting for oil should [be] done in the State.

SIND

The construction of the two new proposed barrages on the Indus River would transform the province of Sind into a land flowing with milk and honey. The next problem to be tackled is the construction of

metalled roads and extension of railways in the existing and new areas to be brought under irrigation. The next step would be the location of industries. The province falls within the tertiary zone, and intensive prospecting for oil is indicated.

BALUCHISTAN

In a nutshell the main problems in Baluchistan, both British Baluchistan and the Kalat State, are the construction of dams and reservoirs on the hill torrents for irrigation, the extension of *karez* irrigation, artesian borings for water for the irrigation of the vast plateaus of excellent soil, and prospecting for oil. Regarding the last item, Pakistan should specialise in boring for oil, which is one of the chief potential assets of the Dominion. The construction of roads for opening up the country should be taken up at the same time. The development of fruit industry would follow the development of irrigation. Baluchistan's fruit can capture the world markets.

COSTS

Those who dislike Pakistan and some of her friends too are dubious about her ability to produce capital for the gigantic development problems of the Dominion. It should be pointed out that in the last analysis, the major portion of the operations involved in any development scheme consists of labour. If Pakistanis display the same zeal and enthusiasm in the development of the Dominion, as they have done in its acquisition, and if the minorities cooperate loyally, there is no doubt about ultimate triumphant success. The potentialities of Pakistan are great. Its people, both Muslims and non-Muslims, are amongst the finest races in the world. With faith and zeal they have a glorious future before them. The Muslims of Pakistan in particular, should note that in their newly acquired Dominion, they have a chance of contributing to the solution of world problems. The world is faced at present with two opposing ideologies. On the one hand there is the capitalistic system of America and Europe, with its free enterprise, and freedom of speech, conscience and faith, but no guarantee to feed, clothe and house the poor. On the other hand, there is the communism of Russia, with regimented labour on land and industry, suppression of individual enterprise and liberty, but with a guarantee of food, clothing and houses for the poor. The Islamic ideology seems to stand midway between the two. Here is a golden opportunity to vindicate the ideals of Islam, and thus to make a valuable contribution to the peace and well being of the whole world.

*Enclosure 4 to No. 204**F. 11/9-10*

IV

THE DEVELOPMENT OF IRRIGATION IN AFGHANISTAN
BY
K[HAN] B[AHADUR] ABDUR RAHMAN KHAN

It is seldom realised that a considerable portion of Afghanistan, comprising the major portion of the Eastern Province up to the main Hindu Kush watershed to the north, west, and south of Kabul, drained by the Kabul River and its tributaries, forms part of the Indus River basin. All the surplus perennial and flood discharge of these streams, either irrigates the lands of the N.W.F.P., Punjab and Sind, or finds its way to the sea near Karachi. Any future developments in irrigation in this area, must therefore, affect the irrigation in Pakistan. Conversely, dam and storage reservoir schemes in the interest of Pakistan could be built on these rivers within Afghan territory. The same remarks apply to a minor degree, to the lengths and watersheds of the Kurram, Kaitu, Tochi and the Gumal torrents, lying within Afghanistan territory. Geographical considerations have thus, directly linked the interests of this part of Afghanistan with Pakistan.

The perennial discharge of all the moderate sized streams in Afghanistan is already fully utilised. *Karez* irrigation has also been brought to perfection. The Afghans may legitimately claim to be the pioneers of irrigation of hilly tracts, among the nations of the world. Canal and dam schemes on a small-scale, on the perennial rivers such as the Kabul River, the Panjsher, the Arghandab, the Helmand, and others, have already been executed or are under consideration.

Times and development methods have, however, changed rapidly during the last few years. The Tennessee Valley Authority Project, recently completed in the U.S.A. has revolutionised notions of development of specific areas. The Tennessee River is an important branch of the Missouri. The basin drained by it is comparable in size, to the Land of the Five Rivers, including the Indus. Under the Tennessee Valley Authority Project, 49 dams and reservoirs have been built on the Tennessee and its tributaries, with canals, hydro-electric stations, power transmission lines, roads, railways, factories, and townships, all in one stride. The country awoke one day to find itself fully developed.

There are two such vast basins, capable of high pressure development in Afghanistan, namely, the basin of the Helmand River and its tributaries, and the Province of Mazar-i-Sharif, drained by the Oxus, and its numerous tributaries from the south, draining the vast area,

from the Hindu Kush-cum-Kohi Baba Range down to the Oxus. Legend, history, and the evidence of numerous ruined villages, and water courses along the Helmand River shows that in the Islamic middle ages, this was a richly populated and highly productive territory until destroyed by the Mongols in the thirteenth century. The Province of Mazar-i-Sharif was a focus of civilization, and was known as the country of a thousand towns, during the Timuride epoch.

Assuming the Afghans can produce or procure the necessary capital, and they command an unlimited supply of unskilled labour, they would still require skilled labour from engineers, down to mechanics and artisans in large numbers, and engineering stores and materials, to bring these projects to completion. Pakistan, with its large resources in these lines, should gladly help their neighbour in these huge undertakings.

The development of the Helmand and Mazar-i-Sharif basins would constitute half the development of Afghanistan. The development of the rest, in the form of roads, railways, small irrigation projects, factories and mines would follow automatically, without the necessity of borrowing outside capital or skilled labour.

205

Note by Ghulam Mohammed and M. Ikramullah

on

Ad Hoc Selection Board

F. 1108/115

No. R/1

7 ALBUQUERQUE ROAD, NEW DELHI,

20 July 1947

We were appointed to constitute an *ad hoc* Selection Board under instructions conveyed to us by the Hon'ble Mr. Liaquat Ali Khan in his office memorandum of the 16th July, 1947.¹ We beg to submit the following memoranda which contain recommendations on some of the matters referred to us:

1. Proposals for filling posts of Secretaries to Government
2. Proposal for filling post of Private Secretary to the Governor-General
3. Explanatory notes regarding 1 and 2 above
4. Proposals for filling posts of Auditor General, and Chairman and members of the Public Service Commission

5. Our recommendation [*sic*] re-grouping the various Ministries which will constitute the Government of Pakistan

The report is not signed by Mr. Zahid Husain² who left for Lahore last night to attend to other work. He has however seen the report and has authorised us to sign it on his behalf.

GHULAM MOHAMMED
M. IKRAMULLAH

¹Not available in QAP.

²Financial Commissioner, Railways, 1943-46; Vice-Chancellor, Aligarh University, 1947.

Enclosure to No. 205

F. 1108/116-24

PROPOSALS FOR FILLING POSTS OF SECRETARIES

We have considered the question of making recommendations for filling the posts of Secretaries under Pakistan Government. We were severely handicapped by the fact that confidential reports were not available to us in many cases and could not be secured without further loss of time. Thus the information we have been able to secure is not complete and our recommendations are therefore based largely on our own knowledge of the men and partly on the records that have been made available to us. It is needless to mention that the field of our choice was limited as we were naturally restricted to those only who had declared their option for Pakistan. Wherever owing to the unavailability of records and inadequacy of our knowledge we have found ourselves [unable] to make a firm recommendation, we have suggested officiating arrangements for a period of six months.

2. We make the following recommendations:

1. FOREIGN AFFAIRS

Mr. Ikramullah

This is a recommendation by Sir Ghulam Mohammed and Mr. Zahid Husain. Mr. Ikramullah did not take part in the discussion on this item.

2. DEFENCE

Mr. A. D. F. Dundas

3. FINANCE

Mr. Mohamad Ali

If Mr. Mohamad Ali is selected for some other¹ post, then we suggest the name of Sir Victor Turner² who is at present Principal Secretary, Finance Department, Delhi.

4. AGRICULTURE AND FOOD

Sir Pheroze Kharegat

If he does not accept then we recommend the name of Mian Afzal Husain.³

5. COMMUNICATIONS

Mr. Z. H. Khan—(now Member of the Railway Board)

6. LEGISLATURE AND HEALTH

Mr. G. M. Ratcliffe, I.C.S. (Bengal)⁴

He has 16 years service and should therefore be appointed to officiate until a more senior officer is available.

7. INDUSTRY, COMMERCE, WORKS, MINES AND POWER

Mr. Eric de Vere Moss, I.C.S.⁵

We have not been able to secure his confidential report and would therefore recommend that he should be appointed to officiate as Secretary for a period of six months. If he is found unsuccessful as Secretary, he could be employed in some other capacity.

8. HOME, EDUCATION, INFORMATION AND BROADCASTING

Mr. Aminuddin, I.C.S.

9. PRIME MINISTER'S DEPARTMENT

We hesitate to make any recommendation for this post and suggest that the selection should be made by the Cabinet subject to the approval of G.G. It would be the most important post in the Secretariat and the coordination of the entire work will depend on his personality, drive and alertness.

10. PRIVATE SECRETARY TO G.G.

Mr. M. W. Abbasi, I.C.S.

He would have the rank of Joint Secretary.

EXPLANATORY NOTES

1. FOREIGN AFFAIRS

Mr. Ikramullah, I.C.S.

Born: 15 January 1903

Joined the Service: 18 October 1927

Educated in Allahabad and Nagpur and Trinity College, Cambridge. He served the Government of the Central Provinces up to October 1933. Thereafter he served in various capacities under the Government of India. He was Under-Secretary, Department of Industries and Labour, officiating as Deputy Secretary from time to time. He was Deputy Trade Commissioner in London from May 1937, and while employed

in London he was deputed to work as Adviser and Secretary [for the] 24th and 25th Labour Conferences. He returned to India early in 1940. He has no previous experience of foreign affairs, but he has had opportunities of attending international conferences. He has tact and understanding which will stand him in good stead as Secretary, Foreign Affairs. Mr. and Mrs. Ikramullah have always been well-known figures in Delhi society and we feel that their social qualities will be of considerable help to them in the position that has been proposed for Mr. Ikramullah.

2. DEFENCE

Mr. A. D. F. Dundas, I.C.S.

Born: 14 April 1899

Joined the Service: 30 October 1922

He is an officer in the Political Department. Originally he served in the Districts of U.P. He joined the Political Department some time in 1925 and served mostly in the N.W.F.P. until 1936. He was Resident in Waziristan for some time in 1940 and Chief Secretary, N.W.F.P. He served as Secretary, Defence Department, in Delhi for some time.

3. FINANCE

Mr. Mohamad Ali

No comments

Sir Victor Turner

Born: 12 March 1892

Joined the Service: 11 May 1920

He is an I.C.S. officer of the United Provinces and has had wide and varied experience in the Finance Department. He has served in Income Tax, ordinary Central Finance, Provincial Finance, Railway Finance, etc.

4. AGRICULTURE AND FOOD

Sir Pheroze Khareghat

He is Secretary for Agriculture now in Delhi. He has declared his willingness to serve on either side but he prefers to serve in India.

Mian Moh[amma]d Afzal Husain

Born: 10 March 1889

Joined the Service: 6 January 1919

He was a member of the Indian Agricultural Service and was for very long Principal of the Agricultural College, Lyallpur [Faisalabad]. He served for about 5 or 6 years as Vice-Chancellor of the Punjab University. He served as a member of the recent Bengal Famine Commission. He is now a member of the Punjab Provincial Public Service Commission. He is 58 years of age but is enjoying excellent health and

is fairly active. He will certainly be able to do a term of at least three years as Secretary.

5. COMMUNICATIONS

Mr. Z. H. Khan

He is a Member of the Indian Railways Transportation Service. He commenced his service on 12 February 1917 and has still about 2 years before he completes 55 years. He has now been a member of the Railway Board for about two years. He has had no experience outside the Railways but is one of the distinguished Railway Officers. Originally we thought of him as the head of the Railway system of Pakistan, but on reconsideration it appeared to us that for that post it would be an advantage to have a Railway Engineer and not a mere Traffic Officer. We think Mr. Z. H. Khan would do well as Secretary, Communications.

6. LEGISLATURE AND HEALTH

Mr. G. M. Ratcliffe

Born: 8 August 1906

Joined the Service: November 1931

After service in the Districts he was appointed Secretary, Legislative Department, Bengal, in January 1940. We have not been able to see his record of service, but he is reported to possess a good deal of legal knowledge and acumen and is a good draftsman.

7. INDUSTRY, COMMERCE, WORKS, MINES AND POWER

Mr. Eric de Vere Moss

Born: 13 April 1896

Joined the Service: 15 October 1923

After serving in various capacities in the Districts, he was appointed Secretary to Government, Industries Department, and War Production Commissioner, U.P., in April 1943.

8. HOME, EDUCATION, INFORMATION AND BROADCASTING

Mr. Aminuddin

Born: 30 June 1897

Joined the Service: 25 October 1923

He has wide experience of District administration. In May 1944 he came to New Delhi as Chief Controller of Exports, and was recently appointed as Chairman of the Port Trust, Karachi. He has a good record and we believe that with his wide and prolonged experience of Districts he will do well as Secretary for Home.

9. PRIVATE SECRETARY TO GOVERNOR-GENERAL

Mr. M. W. Abbasi

Born: 4 July 1905

Joined the Service: 11 October 1930

Educated at Lucknow University and Jesus College, Cambridge. Served in U.P. as Assistant Collector and Magistrate, and Secretary, Department of Information. Out of the officers of his seniority he has an excellent record of service and his experience in the Information Department should be helpful.

AUDITOR GENERAL

Mr. Sayed Yaqub Shah: pay Rs. 3,500 p.m.

PUBLIC SERVICE COMMISSION

Chairman⁶

Chaudhuri Niamutallah, Retired Judge of the Allahabad High Court

Failing him, Mian Abdul Aziz, Retired Chairman of the Public Service Commission, U.P.

Member

Mr. Shahid Shurawardy, Member, Public Service Commission, Bengal

Mr. Chaudhuri Niamutallah should be offered a pay of Rs. 4,000 p.m. personal. The pay of the post should be Rs. 3,500 p.m.

The pay of Members should be Rs. 3,000 p.m.

The third Member should preferably be a Hindu, if possible an Engineer. We are making enquiries, but are unable to make any recommendation at this stage.

We have been told that there would be only seven Ministers. We have accordingly tried to group together the various Ministers' charges. Certain Ministries would be extremely heavy, and having regard to the enormous problem that shall have to be faced in the early stages we are inclined to feel that the number fixed is rather small.

We recommend the following Ministries:

1. Prime Minister

- i. Secretariat of the Governor-General
- ii. Cabinet Secretariat
- iii. Establishment Officer
- iv. Development Board

2. Defence

3. Foreign Affairs, Commonwealth Relations and States Department⁷

4. Agriculture, Food and Health

5. Finance

6. Commerce, Industries, Supplies, Works, Mines and Power

We feel that this Department will be very heavy for one *Secretary*. We have grouped a number of departments because we are unable to suggest the name of a suitable Secretary for *Industries, Mines and Power*. As soon as we are able to find a suitable officer, we suggest that this department should be split up into two as follows:

i. Commerce and Works⁸

ii. Industries, Supplies, Mines and Power

7. Home, Education, Information and *Broadcasting*

8. Transport, Communications and *Railways*

9. Legislative and Labour⁹

For the selection and postings of Under-Secretary and above in the Secretariat, we would suggest the creation of an Establishment Committee consisting of the Auditor General as President, and Cabinet Secretary and Home Secretary as Members. The Secretary of the Department concerned to be co-opted as a Member for specific meetings only. Secretary-Member to be Establishment Officer with the rank of Joint Secretary.

¹Underlined here and subsequently in the original by Jinnah.

²Jinnah tick-marked the name and wrote in the margin "Sir Victor accepted".

³Note in the margin by Jinnah "Neither. Find third man".

⁴U.P. was changed to Bengal by Jinnah who ticked this name.

⁵The letters I.C.S. after the name were added by Jinnah.

⁶Both the names were penned through by Jinnah.

⁷Paras 1 to 3 sidelined by Jinnah.

^{8,9}Tick-marked by Jinnah.

206

Raghib Ahsan to M. A. Jinnah

F. 8/1-2

30 QUEENSWAY, NEW DELHI,

20 July 1947

My dear Quaid-i-Azam,

I have the honour to forward to you the enclosed Memorandum of the Calcutta District Muslim League which was submitted to the Bengal

Boundary Commission, Calcutta, on the 14th of July, 1947. Similar Memoranda have been submitted by the 24-Parganas District League and the Scheduled Castes Federation. I understand that the Calcutta Anglo-Indians have pressed similar views.

I was directed to forward its copies to

- i. Quaid-i-Azam,
- ii. H. E. the Viceroy, and
- iii. Sir Cyril Radcliffe, K.C.

May I request you to kindly consider the submissions of the Calcutta League and to lend your valuable support to the demands formulated on the last two pages—30 to 32 [under the head "Submissions and Proposals"] of the Memorandum.¹

MY ENTRY IN BIHAR BANNED BY BIHAR GOVERNMENT

2. It is just for your information. The Bihar Government have banned my entry in Bihar because they did not like my work for the Bihar sufferers and were afraid of my work for the Adibasi Chhotanagpur Separation Movement.

TWO NAMES SUGGESTED FOR BIHAR RELIEF DIRECTION

3. As I have considerable personal experience of relief work in Bihar districts and villages I venture to suggest to you the following two names to be in charge of the whole work of Bihar Muslim Relief and Rehabilitation on your behalf as your representative.

1. Syed Abdul Aziz, Bar-at-Law, Head and Chairman
2. Shaikh Muhammad Yamin, Secretary, Ambala Muslim League

There is no better man than Mr. S. A. Aziz for guiding and leading the work of rehabilitation. He will be of great help in materializing your scheme of doing something of permanent help and welfare for the Bihar Muslims of which you spoke yesterday. He will also get valuable help from H.E.H. the Nizam.

I did not find a more devoted, energetic and efficient worker in Bihar Relief than Shaikh M[uhamma]d Yamin, Secretary of the Muslim League, Ambala.

If you direct, he will be ready to proceed to Patna as the Principal Relief Director under Mr. S. A. Aziz. If Mr. Yamin is not available, Mr. Syed Hassan Ahmad Shah, M.L.A., Advocate of Cawnpore² may be appointed.

Yours most sincerely,

RAGHIB AHSAN

General Secretary,

The Bihar Muslim Relief Committee, Bengal,

Member, Constituent Assembly of India

¹Sidelined in the original probably by Jinnah.

²Now called Kanpur.

Enclosure to No. 206

F. 8/3-35

8 ZAKARIA STREET, CALCUTTA,
11 July 1947

MEMORANDUM OF THE CALCUTTA DISTRICT MUSLIM LEAGUE
PRESENTED BY S.M. USMAN¹ AND S. M. TAUFIQUE² TO SIR CYRIL
RADCLIFFE, CHAIRMAN OF THE BOUNDARY COMMISSIONS

[Subject:] Calcutta is a problem by itself—knottiest and most complex question

INTRODUCTION

The problem of Calcutta is the knottiest and most complex before the Boundary Commission. Calcutta is not only the political capital and industrial centre of the entire Presidency of Bengal; in fact the metropolis is the outcome and product of the total economic power of Bengal. It is Bengal in miniature. It epitomizes the sum total of the life, talents, resources and progress of Bengal and the State of Bengal. It has been the head and crown, the heart and soul of Bengal from 1757; the birth of the British Raj in India.

Division of Bengal has done good neither to West nor East Bengal. It is detrimental to all communities: Muslims, Hindus, Depressed Classes, Tribals, Anglo-Indians, Europeans and Christians. But it is calculated to do greatest harm to East Bengal and the Muslims of Bengal.

The new State of East Bengal and Sylhet shall be the most thickly populated State in the world and the provincial division of Bengal is designed to strangle from its very start the rapidly growing population of East Bengal by denying it all legitimate avenues of expansion and natural scope of development and growth. It is essentially an unnatural anti-social division. But of all the evils of division, the proposed lopping of Calcutta from East Bengal is like chopping off the head and crown from the body of Bengal. It is the unkindest cut which Muslim Bengal will never tolerate. It is a wrong which will ever rankle in the heart of Bengal and always dog her to war to right this wrong. The communal forces are so distributed in Calcutta that if no fair solution is forthcoming for the problem of Calcutta and the Boundary Commission fails to do justice to it then it is bound to torpedo the entire work of the Indian settlement and land the whole country in the bloodiest of civil wars.

Like the Treaty Ports of Tangier, Shanghai and Trieste, the Port of Calcutta is of international importance and should be viewed and tackled in the same perspective.

The claim of the major division of Bengal, viz. East Bengal, on its capital is based, among others, on the following grounds:

Calcutta is the capital of Bengal; and East Bengal represents the major part of Bengal covering 4 crore 7 lakh out of 6 crore 3 lakh of the total population of Bengal and it is but fair that the capital should go to the major part of the Province.

Bengal is a one city province and the city should go to the main division of the Province as the loss of the only city by the major Bengal will mean the loss of modern amenities of civilization to the largest number of the people of the Province.

Calcutta represents all the commerce, all the industry, all the economic prosperity, all the scientific and cultural progress, all the technical developments, all the engineering advancements, all the social and urban amenities of the life of Bengal which have been built up largely by the natural resources and raw materials and labour of East Bengal. It will be height of social injustice and a great cultural wrong if the major part of the Province representing more than two-third of the total population of the Province is absolutely cut off from all these amenities of life and is practically rusticated and condemned to a primitive backward State to start life afresh. It is West Bengal which has demanded partition of the province. It is not fair that the seceding part should rob the main and major part of the Province of the capital itself.

Calcutta has been made the city of palaces and mills by East Bengal. Mountains of money has been made in Calcutta, all born of East Bengal. The business of Calcutta with West Bengal is nothing in comparison with its business with East Bengal. Thousands of buildings, mills, factories, port-establishments, capital plants and equipments worth crores and crores of money, derived all from the rich commerce and raw materials of East Bengal, are inextricably sunk and invested in Calcutta. Is it fair that the land of its origin which gave it birth should be totally deprived from it? It will be sheer economic injustice and pure financial brigandage if the whole of Calcutta, with all its scientific and industrial plants, financial institutions and capital equipments which have risen and thrived out of the primary productions of East Bengal, is given to West Bengal, which on principles of origin, primary production and social justice, least deserves it.

The first and foremost factor in the making and the make up of Calcutta is jute. Calcutta is pre-eminently the "City of Jute". Calcutta is undoubtedly the "Port of Jute". Calcutta has been made the city of palaces by the jute of East Bengal. Historically, Calcutta is the by-product of the

marriage of the Hoogly River with the jute of East Bengal, united in holy wedlock by the British matchmakers. And jute is 90% the product of the Muslim peasants of East Bengal. The jute growers of East Bengal are the primary builders of the City and the real progenitors of the prosperity of Calcutta and as such they have the largest claim on Calcutta after the British quit Bengal. The jute growers and the seamen of Bengal and not the non-Bengali exploiters and floating population are the legitimate inheritors of Calcutta.

The second factor in the making and the make up of Calcutta are the seamen of East Bengal, who have made Calcutta famous all over the globe as the home port and the home city of the *Lascars* [Sailors]—the best first class seamen of the East. Over 55,000 seamen are engaged in and through Calcutta port. And 100% *Lascars* and seamen of Bengal are Muslims from East Bengal and Sylhet. It is inconceivable that the *Lascars* and seamen of Bengal, the real builders and up-keepers of the port and the sea front of Calcutta, should be made aliens and slaves in their own home port.

The third important factor in the making and the make up of Calcutta is the inland shipping and inland river navigation, which connects all parts of riverine Bengal and Assam with the port of Calcutta and maintains its national and international commerce and prosperity. The inland and coastal shipping companies of Calcutta are mostly British but they are manned and officered wholly and solely by Muslims from Captains to *Sarangs* [Headmen of launches]. They control and conduct the entire river front and the entire traffic in the trade and commerce of Bengal and Assam specially of jute and tea. The 36,000 inland navigators must have a say in the determination of the future status of Calcutta.

The fourth factor in the making and the make up of Calcutta are the port workers and dockers of Calcutta who operate the port.

The Port of Calcutta employs 22,000 workers and out of this 17,000 are Muslims and 5,000 are non-Muslims.

The fifth factor in the making and the make up of the Port of Calcutta is that all the most difficult, technical and dangerous jobs of the port are done by the Muslims viz.:

Arakatis [Navigation pilots] who are 100% Bengali Muslims. They pilot and lead the ships from the Bay of Bengal to Calcutta Port and also pilot and lead out the ships from the port to the sea. No Captain can sail or move without them. They alone know the safe routes for the ships. Without them ships run aground and are lost in the Bay or the Hoogly River which are very dangerous for shipping. There is not a single non-Muslim *Arakati*.

Kamalias [Loading experts] are 100% Muslims. They are experts in proper loading of cargo. If the cargo is not loaded in order and properly, ships are unbalanced and sunk. This is a very specialized, difficult, technical function. There is not a single non-Muslim *Kamalia*.

Dubals (Divers) are 100% Muslims. They are world's most wonderful divers who dive and remain in the bed of the river and sea for 45 minutes without any cover, helmet or respiratory apparatus for doing marine work. Each *Dubal* saves Rs. 10,000 a month for the port. If the apparatus for diving is employed it costs Rs. 10,000 a month. There is no non-Muslim *Dubal*.

Sookanis (Steersmen) are 100% Muslims. They steer ships.

Mastmen are 100% Muslims. They are perched high up on the masts of ships and have to do their duty day and night in hazardous seas in rain and hailstorm and watch sea routes.

Men of Anchor-boat are 100% Muslims. They cast anchors of ships and fix them to *Bayas* [sic for buoy].

Men of Heave-up Boat are 100% Muslims. They raise anchors of ships.

Men of Transfer Department are 100% Muslims. They transfer ships from one jetty to another which is a very difficult job.

Engine Crew are 100% Muslims. They work in engines deep below sea surface in oppressive heat. They have wonderful power of endurance. Sir Archibald Hurd, British authority on merchant navy, says that their power of endurance is wonderful and they are first class seamen.

The sixth important factor in the make up of Calcutta is the fact that as the Port of Calcutta is entirely a product of the labour, toil and sacrifice of generations of Muslim seamen, rivermen, dockers and boatmen consequently the areas of the Port of Calcutta are overwhelmingly populated by Muslims.

From Garden Reach Municipality of Matiaburuj down to King George V Dock, Kidderpore, Chandpall Ghat and the Armenian Ghat, in the entire areas of the port, docks and wharfs, Muslims vastly predominate in the population.

In Matiaburuj Garden Reach Municipality the population in 1941 was:

Total population	1,25,000
Muslims	1,05,000
Hindus	20,000
Bihar Muslim refugees about	50,000
Total Muslims	1,55,000
Total Hindus	20,000

During the war number of Muslims was [sic] much increased. Matiaburuj is a separate municipality.

Iqbalpur, Kidderpore, Watganj and Hastings which are port areas cover the Ward No. 25 and 26 of the Calcutta Corporation. Even before the war they were predominantly Muslim Wards. During the war Muslim population vastly increased due to war demand of seamen, and dockers and after the Great Calcutta Riots of August, 1946, the Hindu population much decreased. Muslims are now over 95 p.c.

In short from Matiaburuj to Mominpur, Iqbalpur, Kidderpore, Watganj, Hastings, Calcutta Maidan, New Market, Chandni, Riverside Ghats, Chandpall Ghats, Hastings Streets, Calcutta High Court and Town Hall, there is one long contiguous belt of predominant Muslim wards and population which covers the entire port area of Calcutta. This gives Muslims a unique strategic position in the Battle of Calcutta and the Battle of Bengal. In Matiaburuj-Kidderpore areas, alone Muslims are not less than five lakh at present.

The seventh important factor in the make up of Calcutta is that Muslims are in majority in the heart and centre of Calcutta comprising the compact zone of Wards Nos. 6, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, [and] 21. There are four districts in the Calcutta Corporation viz., No. I (Shambazar), No. II (Mirzapore), No. III (Chouringhee-Taltala-Park Circus) and No. IV (Alipore). The Muslims number more than all the Hindus and all the Scheduled Castes combined in District No. III of the Calcutta Corporation. After the redistribution of population in Muslim and Hindu Zones caused by the Great Calcutta Killing of August, 1946, the Muslim majority in District No. III and Central Calcutta has become more marked. The Muslims in District No. III at present are not less than 80%. The rest are Anglo-Indians and Europeans with a few pockets of Hindus. The Muslims are also in majority in contiguous parts of Wards No. 8 (Colootola), No. 9 (Mirzapore), No. 4 (Rajabazar-Saheb Bagan), No. 29 (Nakaldanga-Maniktala-Bagmari-Ultadanga), No. 30 (Belgatchia).

Another important factor of the new population structure of Calcutta is that after the Great Calcutta Killing of August, 1946, and the continuous disturbances of a year, the City has been clearly divided in two distinct zones of Pakistan and Hindustan. Hence Calcutta is not a one-nation city. It is distinctly divided in two different national zones of Muslim and Hindu wards with some mixed common zones like Dalhousie Square and Chouringhee.

The theory that Calcutta is a Hindu majority area is not well-founded. Calcutta is not isolated from Greater Calcutta of industrial areas of the eastern bank of Hoogly River. The industrial areas from Kanchrapara to Budge Budge (now Baj Baj) are only the natural expansion of Calcutta.

But although the jute of Bengal is the progenitor of this great industrial district its labour population is almost wholly non-Bengalee, non-domiciled, non-citizen and alien in character. *It is a floating population among whom the percentage of females is almost nil.*³ They are birds of passage. They have their homes, wives and children in Bihar, work in Calcutta for a few months and then go back to their *muluk* (homeland) in the up-country. They call Calcutta as their *pardesh* (foreign country) and Bihar as their *muluk* (homeland).

The 24-Parganas including Calcutta are divisible into two well-defined areas; (1) Calcutta and mill areas on the bank of the Hoogly from Kanchrapara to Diamond Harbour—an industrial district and (2) the rest is the rural part. In the agricultural part of the district Muslims constitute 60% of the local inhabitants although it is also subject to the influx of migratory labour from Midnapore for two months of paddy harvest. In Calcutta and mill areas bordering on the River Hoogly the Muslims are in a minority but the Hindu majority is fake rather than a reality. The mill-areas manned by non-Bengalee population numbering 23.8 lakh are all Hindus. They are a migratory population and are not domiciled here. Both seasonal and continuous changes have been taking place in the personnel of the labour population. They are non-citizens through and through. By a freak of nature this alien population of 23.8 lakh has monopolized the industries of this area while the workless labourers of Eastern Pakistan are dying of starvation in millions. A national government of any type of this area, owing allegiance and responsibility to the people, is bound to reserve the industrial work for local labour in the near future and this migratory alien labour population is at best a temporary and passing phase. Minus this alien and non-domiciled population of 23.8 lakh, Calcutta with mill-areas ceases to be Hindu majority district. The total population of Calcutta and 24-Parganas is 56.4 lakh minus 23.8 lakh of migratory aliens, the Hindus are 16.1 lakh and Muslims 16.46 lakh. Hence Muslims constitute the majority of bonafide residents of this area as well. In determining the question of boundary between the two Bengals the numerical strength of only Bengalees should be taken into consideration. Excluding the non-domiciled, non-Bengalee, non-permanent migratory labour elements in Calcutta and the industrial areas of 24-Parganas, the Muslims are decidedly in majority. To deprive East Bengal of its hold on its by-product, Calcutta, in the name of her alien exploiters at the very time of her nation[al] liberation, will be a wrong which Bengal shall never forget or forgive.

Even from the point of view of contiguity, the East Bengal's claim

over Calcutta is formidable. From East Bengal right up to Calcutta there are unbroken and contiguous Muslim areas which go into the very hearts of Calcutta and form a solid block within the City, consisting of nearly 10 lakh Muslims—the largest number of Muslims in any other Indian city. The Bhangar Thana (58% Muslims) of the District of 24-Parganas on the one side touches the outskirts of Central Calcutta stretching from the Salt Lake on the east, down to the Maidan and the Hoogly River on the west—and on the other it adjoins the Muslim sub-division of Barasat and by that way joins Calcutta to Jessore. In short, there is an unbroken contiguous Muslim belt from Jessore-Barasat and Bhangar to Park Circus Maidan, Watganj, Kidderpore to Matiaburuj.

From the view point of historical associations Calcutta is associated with, among others, the memories of:

1. Siraj-ud-daulah Shaheed [1727-57], the last independent sovereign of Bengal
2. Tipu Sultan Shaheed [1750-99], his family and descendents
3. Wajid Ali Shah [1827-87], and his Court
4. Bahadur Shah Zafar [1775-1862], the last Mughal Emperor of Delhi
5. Syed Ahmad Shaheed Brelvi [1786-1831], and Ismail Shaheed Dehlavi [1779-1831], the founder of the Wahabi Movement.

In 1757 Siraj-ud-daulah Shaheed, the beloved ruler and hero of Bengal, conquered and liberated Calcutta. He renamed Calcutta as Alinagar and appointed Raja Manik Chand as his first Governor of Calcutta. Muslims have not forgotten that the last independent ruler of Bengal—the beloved Siraj-ud-daulah, christened Calcutta as *Alinagar* as a Muslim city.

In 1799 Tipu Sultan, the hero of Islamic independence and glory in India fell fighting as a martyr and all his family including his sons with all the remains of his magnificent court were brought to Calcutta. His great library was removed from Srirangapatam to Calcutta. Many of his sacred remains are still preserved in Calcutta. His sons lived and died in Calcutta, and are buried in cemeteries of the Tipu Sultan royal family. They wrote and published many books on Tipu Sultan from Calcutta. They built special type of mosques in gardens in Calcutta which still adorn the City and are popularly called Tipu Sultan *Shahi* Mosques. One of these command the Esplanade Maidan. One [*sic* for once] they held very extensive properties in Calcutta. They are still called the Tollyganj *Shahi* Family.

In 1857 [*sic* for 1856] Wajid Ali Shah, the popular last king of Oudh refused to sign a treaty of submission to the British and was brought by the British from Lucknow to Matiaburuj (Calcutta). The Court of

Lucknow with all the splendour of Lucknow culture was transplanted in Calcutta. Many *hakims*, *'alims*, *fazils*, poets and men of art and craft from Oudh came and settled in Matiaburuj. The Shah and his nobles purchased extensive properties on the eastern bank of the Hoogly. They built mosques, *imambaras*, Sibtainabad and also laid out beautiful gardens.

Prince Afsarul Muluk, the son of the Shah, died in Calcutta only a few years ago. The proud prince died a bachelor. He refused to marry and said that he was born a free Prince but he did not want to procreate sons who would be slaves to a foreign power. Descendants of Shah and his monuments are still in Matiaburuj. Prince Yusuf Mirza and Mr. Unsud Dawla, Bar-at-Law, ex-Chairman Matiaburuj Municipality are the leaders of the Calcutta Branch of the Oudh Family.

In 1858 Bahadur Shah the saintly Mughal Emperor of Delhi, after the mutiny of 1857, was arrested by the British and brought over to Calcutta and kept as a prisoner at Dum Dum. Muslims have not forgotten this and regard Calcutta as hallowed by the footsteps of the saintly Bahadur Shah—the last relic of Muslim sovereignty in India.

In 1820 *Hazrat* Syed Ahmad Brelvi and Shah Ismail Dehlavi the founders of the Wahabi Jihad Movement launched their *Bay't*, *Jihad*, and *Haj* from Calcutta. They with the *kafela* stayed in Calcutta for three months, met sons and grandsons of Tippu Sultan Shaheed and converted them to his *Silsila* [Sufi order] by taking formal *Bay't* (pledge of allegiance) from them. The Syed and the Shah by their preachings in Calcutta converted thousands of Hindus and Muslims to his Order. A Hindu merchant prince of Sylhet came to Calcutta to see the Syed and embraced Islam. Titu Mir of Jessore also came to Calcutta and became a disciple of the Syed and pledged himself for *Jihad*. The Syed and the Shah were sent off to *Haj* most enthusiastically by thousands of people [who] thronged the roads and the Maidan of Calcutta.

In 1831 Syed Ahmad Brelvi and Shah Ismail fell fighting against the Sikhs at Balakot in the North West Frontier and his Bengalee *Khalifa*, Titu Mir, at the same time led a powerful attack on Calcutta, reached the outskirts of Barrackpore defeating waves after waves of British forces sent to check his march on Calcutta. Calcutta was saved for the British with greatest difficulty by a total mobilization of British forces.

After the martyrdom of Syed Brelvi and Titu Mir in 1831, Bengal became the centre of the Wahabi Movement in whole of India. The seeds of this mighty renaissance of Islam[ic] Movement were sown in Calcutta by the Syed and Shah in 1820.

Historically the original settlers of Calcutta were Muslims. Nikaripara

(village of *Nikaris*—the fishermen) at Baghbazar in North Calcutta, on the bank of the Hoogly River, is the oldest settlement in Calcutta. In fact Nikaripara is older than Calcutta itself. It dates back from the days when Calcutta was nothing but a collection of fishing villages on the eastern bank of the Hoogly River.

It may be noted that a Hindu landlord, Radha Nath Das, instituted many cases for the ejectment of the *Nikaris* but the Calcutta High Court rejected his case on the ground that the *Nikaris* were oldest inhabitants of Calcutta. The *Nikaris* are Muslim fishermen. The landlord conspired to destroy the Nikaripara during the Great Calcutta Killing of August, 1946. Hundreds were killed and the *bustee* was wiped out. The process in the making of Calcutta has been as under: First come the Muslim fishermen, boatmen, *manjhees*, seamen, *rajmistris*, artisans and traders, etc. They fill up ponds and tanks and reclaim land for rehabilitation from marshes, swamps and malaria infested lakes. *Bustees* or collection of hutments spring up. *Mohallas* are built up. *Bazars* and roads are constructed. Second come the Permanent Settlement Zamindars (1793), with *pattas* of ownership of reclaimed land who charge exorbitant rents on original settlers and reduce them to *thika-proja* or tenants at will. Third comes the Corporation of Calcutta and the Calcutta Improvement Trust. The zamindars combine, capture and convert the Corporation and the [Improvement] Trust into weapons of the landlords, alien marwaris and *mahajans* (money-lenders) monopolize all business, industry, lands and buildings in Calcutta and conspire to oust and drive the Muslim *bustees* and *mohallas* from the heart of Calcutta.

Whole blocks of centuries-old Muslim *bustees* and *mohallas* (wards) are broken, uprooted and destroyed in the name of "improvement" without making any provision for the rehousing of the dehousing poor. Lakhs of the poor, mostly Muslims, are dehousing. They are driven eastward [*sic*] swamps and *khals* (canals). Seventy per cent of the people dehousing by the Improvement Trust, as affirmed by the present Bengal Premier, die of malaria, kalazar and tuberculosis, etc. But on the very sites of the once thickly populated Muslim *bustees*, up rise the palaces of marwaris, the markets of *mahajans* and factories of capitalists with up-country Hindustani speaking workers and *darwans* (house guards). But for this process of Muslim destruction and Hindu construction on the ruins of the original Muslim settlements and the colossal child mortality and high death rates of Muslims, Calcutta would have long become a bigger Muslim majority zone. Even at present the Muslims outnumber the Hindus in greater Calcutta excluding the non-Bengalee, non-domiciled, non-family floating[?] coolies. From the

geographical point of view, Calcutta on the east bank of the River Hoogly really belongs to the Gangetic Delta Region of East Bengal and not to the hard and rocky land of West Bengal. The Hoogly River is the natural dividing line between the West and the East Bengal and Calcutta falls within the Gangetic Delta Region.

The natural zone comprising the Districts of Faridpur, Bakarganj, Murshidabad, Nadia, Jessore, Khulna, 24-Parganas, and Calcutta, bounded by the Hoogly River on the west, the Padma River on the north east and the Bay of Bengal on the south, collectively form the Gangetic Delta. From geographical point of view and geological definition these districts form the Delta of the Ganges and they form one single geographical, natural, commercial and economic unit. It is one and indivisible. There is no instance in history of the division of one geographical delta, between two independent States. The political control of the Gangetic Delta by Pakistan [as well as] Hindustan is unsound and impracticable from the view-point of both defence and administration.

The entire southern part of this Gangetic Delta is Sunderbans Forest Division and the total population of it is 8,733 of which 5,418 are Muslims and only 3,315 are non-Muslims.⁴ It is the Muslims who have made the lands of this Gangetic Delta cultivable. The famous historian Sir W. W. Hunter says:

The Aryan migration southward had not penetrated in sufficient strength into the seaboard and Deltaic tracts, to thoroughly pound down in the Brahminical mortar the earlier people of the soil.... The Mohammadans... came down upon the country, sometimes as military colonists, sometimes as heads of great reclamation enterprises in the Deltaic Districts.... As the primeval heroes of inner parts of India slew monster beasts, quelled demon tribes, and hewed down the all-covering forest;... The Musalmans led several of these great land reclamation colonies to the southward, and have left their names... as the first divider of the water from the land. The sportsman comes across their dykes, and metalled roads, and mosques and tanks, and tombs, in the loneliest recesses of the jungle⁵....

The Gangetic Delta is bounded on the west by the River Hoogly, on the north and east by the River Padma, and on the south by the Bay of Bengal. According to the Census Report of 1941 the population of the Delta is as follows:

<i>DISTRICT</i>	<i>MUSLIMS</i>	<i>NON-MUSLIMS</i>
Calcutta	5,00,000	16,04,000
24-Parganas	11,48,000	23,84,000

Khulna	9,59,000	9,80,000
Jessore	11,00,000	7,24,000
Nadia	10,78,000	6,81,000
Murshidabad	9,28,000	7,12,000
Faridpore	18,90,000	10,04,000
Bakarganj	25,67,000	9,50,000
Total:	1,01,70,000	90,39,000

It is found therefore that amongst the population of the Delta one crore and nearly two lakh are Muslims and non-Muslims are a little over 90 lakh. A vast portion of these non-Muslims are Scheduled Castes. The five Scheduled Castes MLAs who cast their votes in favour of Pakistan on the 20th June, 1947, in the Bengal Legislative Assembly and the Hon'ble J. N. Mandal, Law Member of the Government of India, who is a supporter of Pakistan, are all elected representatives of this Delta. All these six Scheduled Castes leaders are each a representative of three lakhs of people and by voting for Pakistan they have voiced the true demands of at least 18 lakhs of Scheduled Castes. We can expect a part of the Indian Christians also. Therefore it is established beyond doubt by the democratic voting in the Bengal Assembly on 20th June on Bengal partition that two-third of the total population of this Gangetic Delta is in favour of living in Pakistan.

The problem of the defence and security of the Pakistan Commonwealth, both in its Western and Eastern Sectors which are geographically independent of each other, is more important and imperative than that of Hindustan.

Firstly, North Western and Eastern Pakistan States occupy the position of Frontier Guards of the Indian sub-continent; East Pakistan is exposed to attacks from the Bay of Bengal, Arakan and Burma. In fact Chittagong has been the target of repeated and numerous attacks by the Mugs and Arakanis and was not safe till the occupation of Arakan and Assam by the British in 1926 [*sic*] as sequel to the First Burmese War (1824-26).

Secondly, the Eastern Pakistan State is surrounded from all sides by States and peoples who are [not] very friendly towards it. The enemies of the Muslims are working hard to encircle East Pakistan with hostile peoples and powers and to set them against the very life of East Pakistan.

Thirdly, it is a fact that West Bengal has been conceived in war and born in hatred and its progenitor, Dr. Shayama Prashad Mukherjee,⁶ has declared that the whole object of the separation of West Bengal is to bring East Bengal to her knees and force East Bengal to unite with

West Bengal and submit to Hindustan as a vanquished subsidiary unit.

Fourthly, Pakistan is a newly born State which has still to build up its administration. Its defences are not expected to be very up to the mark unless it is given a good and fair start with adequate resources and areas.

Fifthly, Eastern Pakistan State shall be largely a maritime state and a riverine country. It is proud of her race of splendid seamen, mighty rivers and wonderful navigators. But unless it commands the port of Calcutta, the Hoogly River, the Bay of Bengal, the Andamans and adequate resources for the development of powerful merchant and war navies, it will not be able to defend its highly vulnerable coasts. From the point of view of the defence and security of East Pakistan State, the following would be her irreducible minimum pre-requisite conditions of survival:

East Bengal being a maritime State the problem of her defence is primarily a problem of "Naval" Defence and for this purpose the Command over Calcutta and the Hoogly River front down to the sea front of the Bay of Bengal is the first and foremost vital and essential condition.

The lesson of history is that Siraj-ud-daulah lost Bengal because he lost Calcutta and he lost Calcutta because he had no command over the Hoogly River and the Bay of Bengal as he possessed no navy as the British did. His river front and sea front were completely undefended.⁷

The Hoogly-Ganges and Kosi Rivers form the natural boundary between the East and West Bengal. The *natural* barrier also corresponds with the *national* barrier division of Muslim and Hindu majority zones of Bengal. The natural boundary is essential not only for the defence of the State but, as Sir Jadu Nath Sarkar says also: "To prevent smuggling, escape of criminals and hatching of gang conspiracies, except at a cost to the two administrations that is impossible".⁸

East Bengal and Sylhet being a maritime State of seamen, the most important necessity for her defence organization is the possession of a larger and bigger sea board. The whole life and economy of East Bengal, in fact its very existence being dependent upon development of its sea-power, a larger sea board is essential. To speak the truth, even the total sea coast of East and West Bengal is not adequate to ensure full naval security. Bengal as a whole needs the commands of the coast of West Arakan and the port of Akyab which are mainly Muslim in population and economy. To still reduce the natural coast of the indivisible Gangetic Delta by chopping off Khulna, 24-Parganas and Calcutta from the body of East Bengal is to expose her to mortal

danger and make the life of the new State absolutely precarious.

Very closely connected with the problem of defence is the problem of ordnance factories, and military plants and barracks at Fort William, Barrackpore, Dum Dum and Tollygunj, till lately the headquarters of the Eastern Command. The Gun and Shell Factory at Cossipore, Calcutta and the Rifle and Metals Factory at Ichapore are perhaps the only important ordnance factories which may fall within Pakistan if Calcutta and 24-Parganas are included in Pakistan. Otherwise there is hardly any important ordnance factory situated within the borders of the West or East Pakistan States. All ordnance factories of India fall within Hindustan. But under the scheme of the division of the Armed Forces between Pakistan and Hindustan the ordnance factories are bound to be divided. By giving Calcutta and 24-Parganas to East Pakistan, the two ordnance factories shall be automatically transferred to Pakistan and thus obviate the necessity of dismantlement, removal and building of new factories in East Pakistan at the cost of enormous amount of new unnecessary expenditure. Anyhow East Pakistan shall have to build her separate ordnance factories independent of the factories in the West Pakistan State. Why not give Cossipore and Ichapore to East Pakistan and fulfill this necessity which shall have to be met anyhow?

Defence is largely dependent upon communications and transport system which include:

1. Railway and Railway Workshops
2. River and Sea Navigation System, Ports, Docks and Ship-Building Yards
3. Motor Cars and Motor Workshops
4. Telegraph and Telephone Systems and Telegraph and Telephone Workshops
5. Aviation and Wireless Communications

From the point of view of the development of communications Calcutta occupies the position as the head and heart, base and centre of the entire complex system.

Calcutta is the radial point, the starting point and the headquarters of the Railway systems—the East Bengal Railway, the East Indian Railway and the Bengal Nagpur Railway. The E.B.R. represents the Railway system of East Pakistan State and starts from Sealdah in Calcutta on the east bank of the River Hoogly. The E.I.R. also represents the railway system of Hindustan and starts from Howrah on the west bank of the River Hoogly. The East Bengal Railway system is pre-eminently the railway system of East Pakistan State. It has not only its

starting point at Sealdah in Calcutta but also its headquarters—buildings and head office establishments in Calcutta.

The East Bengal Railway system has its main Railway Workshop at Kanchrapara on the east bank of the River Hoogly in the Greater Calcutta industrial belt. It is one of the biggest Railway factories in India. Kanchrapara has been selected as one of the three factories in India for the manufacture of railway locomotives. It shows the great importance of Kanchrapara in the railway system of East Bengal.

How can the East Bengal Railway system function safely while its biggest workshop, its headquarters and its base and its starting point and main station will be situated in a foreign country?

[Only] the retention of Calcutta in the major part of Bengal will solve this question.

All the steamer services of East Bengal and shipping lines have their head offices and establishments in Calcutta. Ship-building yards are also in Calcutta. All forms of communications system and transport services in Bengal have been developed in their best condition in Calcutta.

There are Telephone and Telegraph Workshops at Alipore in Calcutta. There are highly organized river steamer services, sea steamer services, air and sea plane services and motor services all concentrated in Greater Calcutta Zone. All these developments of communications in Calcutta force to one conclusion—major Bengal cannot afford to lose this without incurring an irreparable loss and gravely endangering the security of East Bengal. They must be largely retained by the larger part of Bengal and this can be best done by retaining Calcutta within East Pakistan.

With Calcutta in West Bengal, the major port of Bengal will not only be put to great disadvantage in respect of all forms of modern communications and transport system—nay East Bengal will be placed at the mercy of West Bengal which by mobilizing all the superior armed forces of Hindustan and the superior transport and communications at her command shall jeopardise the security and integrity of East Pakistan.

The future of Calcutta cannot be decided without taking into account the glorious war services and heroic achievements of the Muslim seamen of Calcutta and Bengal in World War II for the cause of freedom. It should be noted that Muslim Bengal stood solid and offered thousands of her sons to fight the battle of the sea at a time when Japan was knocking at the door of Bengal and subjecting Chittagong, Feni and Noakhali, the home of the seamen, to air bombardment. This was the time when the present Hindu claimants for Calcutta were openly crying *Japan Hamara Bhai Hai* (Japan is our brother).

Here are some salient facts about the war record of Bengal Muslim seamen:

1. 1,72,000 seamen took part in World War II including Engine Crew, Deck Crew, Saloon Crew.
2. 28,000 Bengal seamen, all Muslims, fell and died fighting in the World War (1939-45) in the seven seas excluding the war prisoners who number thousands.
3. 52,000 seamen from Sylhet, all Muslims, were engaged permanently, in war barring others who were coming and going.
4. 32,000 seamen from Noakhali, all Muslims, were engaged in the War.
5. 20,000 seamen from Chittagong, all Muslims, were engaged in the War.
6. 10,000 seamen from Calcutta, all Muslims, were engaged in the War.

The Lascars Memorial at the Calcutta Maidan to the south of Fort William at the east bank of River Hoogly silently but majestically proclaims to the world that the port of Calcutta has been built, defended and secured by the stupendous sacrifices of the blood and toil of thousands and thousands of Bengal Muslim seamen and they alone in justice can claim to inherit its free possession.

East Bengal has been the most criminally wronged and exploited province in the whole British period of Indian history. The British Empire in India took its birth in Bengal and Bengal was consequently made the base of operations of the expansion of the British Empire and thus bled white for subjugating India and Burma, and while Bengal's resources were wasted on the whole of India and Burma, Bengal herself has been persistently pauperized. Bengal has thus been financially crippled, economically drained of its life-juice, and Muslims, the bulk of its peasantry, were made to live a life of abject [poverty] by the British-imposed Permanent Settlement and alien capitalism, as pointed out by Sir William Hunter in his book, *The Indian Musalmans*, in 1870.

The historian Dr. Vincent Smith, I.C.S., Litt. D., in his work *Oxford History of India* characterizes East Bengal as the "most neglected part of India" and writes: "Eastern Bengal, especially was utterly neglected, financially starved and allowed to present the most astounding record of modern crime in existence". But the partition of Bengal and specially the chopping off Calcutta, the head and crown of East Bengal, will put to shame all past wrongs to East Bengal. The Boundary Commission should try to right the wrong done to East Bengal and not to

complete the cycle of her deprivation and pauperization by separating Calcutta from East Bengal to which it geographically belongs.

The financial and economic aspects of the partition of Bengal are also very important. Calcutta being the commercial, industrial and financial capital of Bengal is the chief source of her extensive revenues from customs, income tax, etc. Calcutta is the base and the arch-stone of the entire edifice of the financial organization and the money market of Bengal. The proposed chopping off Calcutta from the body economic [*sic*] of East Bengal would be detrimental not only to East Bengal but also disastrous to Calcutta herself.

The entire commercial, industrial and financial structure of Calcutta is grounded [*sic*] on the economy of East Bengal. The economics of Calcutta are interwoven with the texture of East Bengal rural economy. Calcutta is the fruit and fruition of East Bengal.

Business of Calcutta transacted with West Bengal is very little compared with that of the East Bengal. The average business of Calcutta with East Bengal is over Rs. 82 crore while her business with East Bengal [*sic* for West Bengal] is only about two crore, a year.

Calcutta is to East Bengal what London is to England.

Europeans and Anglo-Indians occupy an important position in Calcutta, which is the biggest centre of Anglo-Indian population and European business in India. The view of the Anglo-Indians and Europeans, who are the original founders of not only the city but of its industry and commerce and the port, should not be disregarded in determining the future of Calcutta. Sir George Griffith, lately leader of the European Association, Calcutta, expressed the view that Calcutta should either go to the major part (East Bengal) or should be declared an International Free City like Trieste on the Adriatic. Similar is the view of the Anglo-Indians of Calcutta.

The vast majority of the 10 lakhs of Muslims population in Greater Calcutta live in huts which are called *Bustees*.

The Bengal Government, the Calcutta Corporation and the Improvement Trust have so far signally failed to do anything for their protection and betterment. They neither devised any scheme for their welfare nor spent a pie on the improvement of their housing and living conditions. Mr. R. G. Casey, the Australian Governor of Bengal, after a tour of *Bustee* conditions which he described as appalling, passed the *Bustee Improvement Act*, but it has remained a dead letter. The Muslim League Government published the Calcutta Thika Proja Bill to give security of tenure to the *Bustee* people and improve their lot. This Bill is at present before the Bengal Assembly but in case Calcutta is given to West Bengal there is little hope of its enactment. The Congress

Hindu press has already declared its war on Muslim *Bustees* and demanded their total destruction as they say that *Bustees* are dens of *goondas* by which they mean Musalmans. It is also feared that the House Rent Control Act shall be abolished or whittled down and the Calcutta's poor *Bustees'* people will be thrown to the tender mercy of the Rent *Sarkars* of Calcutta—the Marwari *mahajans* [and] landlords. The Calcutta *Bustee* people unanimously and strongly demand that they should be placed under East Bengal and they must be saved from the capitalist-*mahajans*, *Raj* of the West Bengal High Castes. The problem of the *Bustees* of Greater Calcutta can be solved only by a peasant-labour government of East Bengal. The Caste Hindu dominated Calcutta Corporation and Calcutta Improvement Trust, have created the problem of *Bustees* but could not do anything for its solution in the last two centuries. What can we expect from them in the future?

The Boundary Commission while deciding the fate of Calcutta should not ignore the lesson of Great Calcutta Killing of August, 1946, which resulted in the total wiping out of whole Muslim *Bustees* like Kazipara, Saheb Bagan in Bhawanipur, Kalighat and Nikaripara in Baghbazar (a *Bustee* older than Calcutta itself and Gouripara in Belliaghatta).

Here are three typical comments by three non-Muslim, non-Hindu neutral European observers viz.:

1. *The Times*, London
2. Mrs. Taylor
3. Mr. E. F. McInerney, I.C.S.

The Times, London, commenting on Calcutta riots, writes:

It is not difficult to conjecture why Calcutta alone became the scene of so serious an outbreak when similar demonstrations in other places passed off in more or less orderly fashion. Now where else in India is the contrast between Hindu wealth and Muslim poverty so glaringly obvious as in the capital of Bengal, Muslim majority province where the principal city has become a great Hindu centre of business.⁹

Mrs. Taylor, an English woman of Calcutta, in a letter to Mr. Liaquat Ali Khan, Finance Member, Government of India, General Secretary of the All India Muslim League, writes:

I am giving you a short description of what I saw of the trouble on August 16, 1946. Days before August 16, the Hindustani (up-country) milkmen (*gowalas*) living along the banks of Tollynullah used to parade the streets with *lathis* and iron rods and the scavengers of the *gowkhana* situated opposite our quarters. So long [*sic*] these weapons which were being stored were used on August 16th on the poor Muslims who were living in the Kalighat and Bhawanipore areas.

At about 2 p.m. on August 16th a Muslim procession passed our quarters, composed chiefly of the very poor class—they were in rags and tatters, some lame, some old, some half blind. They were just living skeletons—they couldn't even shout, but they all joined because it was their Muslim League. They went down Kalighat and as they got to Bhawanipore, I believe the Sikhs put up road blocks and prevented the procession from going ahead and they also did the same at the back—these poor Muslims were surrounded by Sikhs who attacked them with their *kirpan*[s]. Those who did escape and tried to cross Tollynullah, were attacked by these Hindustani (up-country) *gowalas* and scavengers with cross bars and iron rails; women and children were just cut to bits by these people.

The Sikhs and Hindustani up-country Hindus should be deported or repatriated to their own country as they are a menace in Bengal—no Government service [*sic*] should employ them except in their own province.¹⁰

Mr. E. F. McInerney, Noakhali District Magistrate's statement:

I consider it most important to emphasize that the recent disturbances have not been an uprising of one community as a whole against the other.

Asked about the cause that led to the recent lawlessness, Mr. McInerney said that the political situation in the country, the economic inequality between the two communities in certain areas, the present rising against *mahajans* (moneylenders) and landlords, and at places mere hooliganism contributed largely to the disturbances.¹¹

The one lesson of the Great Calcutta Killing is that Muslims are in danger of total annihilation in Calcutta. Already the provisional Government of West Bengal, in the notional division, has much elated and emboldened the Hindus of Calcutta and West Bengal who are treating it as a great triumph of the Great Calcutta Killing. They are treating Muslims of Calcutta as their vanquished vassals and placed at their mercy. They are heavily armed with revolvers, bren guns and rifles and have started a new wave of terrorism by shooting Muslim Police officers. Their aim is to break the morale of the Muslims and force them to abject surrender to Hindu *Raj*.

On the other hand the Muslims who have suffered so long and so great [*sic*] cannot tolerate to see the loss of Calcutta even after the sacrifice and loss of their imperial historic cities of Delhi, Agra and Lucknow, their commercial centres of Cawnpore, Bombay and Calicut, their cultural centres of Aligarh and Deoband and, their religious centres of Ajmer, Bahraich, Phulwari and Bihar Sharif. It will mean that all the big modern well-developed cities of India have been given to Hindustan and none to Pakistan.

The communal situation in Calcutta is such that its peaceful transfer

to West Bengal would be impossible unless the Muslims are completely wiped out or disintegrated as a nation. In Calcutta Muslims have tasted power and have lived for so many years as a ruling people. How can they be expected to accept the position of slaves to their slaves? There will be no real peace and no law and order in Calcutta until it is placed under the sovereignty of East Bengal for political, strategic and military purposes. But for day to day administration a special protocol, providing for an equal condominium of Muslims and non-Muslims, is enforced.

Another important point to be noted in connection with the determination of the boundaries of East Pakistan State is the fact that the question of setting up a "Viable State" does not arise at all in West Bengal Province. Firstly, because West Bengal will not be an independent State but only a part of the great Union of Hindustan. Secondly, because West Bengal will not be physically separated from Hindustan, by about one thousand miles of land or sea water as the East Pakistan State would actually be separated from the West Pakistan State of the Punjab and Sind. Thirdly, because Hindustan unlike Pakistan, shall not be a new State, and fourthly, because Pakistan shall be a weaker and smaller State. The problem of making East Pakistan a "Viable State" is of special importance to East Bengal and the Boundary Commission in fairness to the new State should give sympathetic considerations to this problem.

There must be devised [*sic* for devised] some method or mechanism to ascertain the wishes and sentiments of the peoples of border line [*sic*] in some rough and ready manner for instance through their associations and representatives on local bodies. It is absolutely wrong to presume that all non-Muslims are against Pakistan. The classification of all non-Muslims under the Caste Hindu community is an oversimplification of a most complex problem which belies the basic facts of Indian sociology and ethnology. It is neither correct in fact nor morally right, just or tenable [*sic*].

The wrong classification, on the one hand, does grave wrong to the Muslims by setting and arraying all other peoples against Muslims, and on the other hand, it gives undue weightage to the Caste Hindus and is most unjust to the Scheduled Castes, the Tribals, the Anglo-Indians, Christians and Ahoms, etc. The Boundary Commission can not do justice unless it takes into account the real wishes of the peoples and classes concerned whose future it is charged to decide.

Last but not the least comes the bed-rock factor of the population problem of East Bengal. East Bengal is the most thickly populated

country of the globe. Java was considered the most thickly populated country of the world. But the new State of East Pakistan shall be far more thickly populated than even Java. The following table showing density of population in some big world States and Indian provinces bears out our contention:

COUNTRY	DENSITY PER SQ. MILE
<i>East Bengal</i>	
Dacca Division	1,077
Dacca District	1,542
Mymensingh	
(including Garo Hills in Bengal)	979
Faridpur	1,024
Bakarganj	938
Chittagong	838
Noakhali	1,337
Tippera	1,525
<i>Foreign Countries</i>	
Java	817
England	685
Italy	359
Germany	382
Japan	469
<i>Indian Provinces</i>	
Burdwan Division	728
Madras	391
Bombay	271
U.P.	518
Punjab	287
Orissa	271
Bihar	521
C.P.	164
<i>Regions adjoining East Bengal</i>	
Sylhet	569
Assam	186
Chittagong Hill Tracts	49 (Total population 247,053; Area: 5007)
Lushai Hills	19
Naga Hills	44
Khasi and Jaintia Hills	45
Garo Hills (Assam)	71
Sadia Frontier Tract	18
Balipara Frontier Tract	11
Burma	63
Arakan	63
Arakan Hill District	11
Chin Hills	17
Upper Chindwin	14

Another important factor should be noted—Mr. Porter, I.C.S., Census Superintendent of Bengal (1931) after a thorough scientific study of the population problem of Bengal in his report¹² comes to the conclusion that the "Bengal Muslims are rapidly growing" but the Bengal Hindu population has reached a stationary stage and is rather decreasing.

The one conclusion from this study of comparative density of population is that East Bengal should have more living space. The allotment of area of living space and natural resources must be made on the fair and just principle of proportionate land area for a proportionate population. Land is for man and not man for land, is the real principle of justice in the situation that there is no living space in East Bengal and Sylhet where density of population is suffocation [*sic* for suffocating], ranging from 1,000 to 1,500 per sq. mile. After the blocking of Bengalee emigration in [*sic*] Assam and the separation and exclusion of Assam and Arakan where East Bengal surplus population was flowing, the greater Calcutta industrial areas, Sundarbans and Jalpaiguri (density 357 persons per sq. mile) are the only areas where the surplus population of East Bengal can find room for productive expansion and employment. To deprive East Bengal, the world's most thickly populated agricultural state, of its only industrial centre will be to condemn her to cold blooded murder.

An objective examination of the inter-connected political, commercial, industrial, geographical, strategic, administrative and population factors of East Bengal, the Gangetic Delta and the Calcutta Port force us to the only conclusion that Calcutta is a problem by itself—a problem of peculiar complexity, high strategic importance and international character, which cannot be solved on the basis of mere population ratio. It is a problem which is far more complex and difficult than the problem of the Treaty port of Shanghai, Tangier and Trieste. In short our submissions are:

SUBMISSIONS AND PROPOSALS

That for high political, military, naval and strategic defence and the security of the realm recognize the suzerainty of East Bengal and the sovereignty of Pakistan State over Calcutta and over the whole Hoogly River Line from the point it separates from the Ganges in Murshidabad District down to its estuary on the Bay of Bengal, thus bringing the whole of the Gangetic Delta within Pakistan State with the Hoogly-Ganges Rivers as the natural boundary between East and West Bengal.

That for actual administration of the city of Calcutta draw up a special international protocol providing for a condominium of Muslims and non-Muslims and joint administration of the Police and the

Municipal Corporation and the betterment of the *Bustees*. That for better administration, peace and order in the city divide Calcutta into spheres of :

- a. Muslim Zones
- b. Hindu Zones
- c. Mixed Zones of Muslims, Hindus, Anglo-Indians and others, like Dalhausie Square

Place Sealdah Station and the E.B.R. Kanchrapara workshop under full control and administration of East Pakistan.

Place the Gun and Steel Factory at Cossipore in Calcutta and the Rifle and Metals Factory at Ichapore in 24-Parganas and industrial area of Greater Calcutta, wholly under the East Pakistan State.

Place the administration of the seamen, the port, the customs and the port areas from Manjarhat, Santoshpur, Matiaburuj, Kidderpur, Hastings and all the wharfs on the Hoogly River under the separate and direct administration of East Pakistan State.

Place all Military, Naval and Air Force Establishments like the Fort William and ship-building yards under the direct control of the Pakistan State.

If the minimum of this Muslim demand about future status of Calcutta is not accepted then there will be no peace in Pakistan and Hindustan and the Muslims shall never forgo their claims on:

1. their imperial historic capitals of Delhi, Agra and Lucknow
2. their religious centres of Ajmer, Bahraich, Phulwari and Bihar Sharif
3. their cultural centres of Aligarh, Deoband and Saharanpur.

We enclose¹⁵ six copies of the printed pamphlet—*Eastern Pakistan—Its Population, Delimitation and Economics*, published in September, 1944.

¹Ex-Mayor, Calcutta Corporation; General Secretary, Calcutta District Muslim League.

²MLC; Councillor, Calcutta Corporation; Joint Secretary, Calcutta District Muslim League.

³Underlined here and subsequently in the original probably by Jinnah.

⁴*Bengal Census Report*, 1941, 80-1, 86-7.

⁵*The Indian Musalmans*, 1870, 145-6.

⁶Finance Minister, Bengal, 1941-43; leader of All India Hindu Mahasabha.

⁷B. D. Basu, *Rise of Christian Power in India*, 40.

⁸*The Statesman*, 9 July 1947.

⁹*The Amrita Bazar Patrika*, 21 August 1946.

¹⁰*The Star of India*, 16 September 1946.

¹¹*The Statesman*, 30 October 1946.

¹²*Census Report, Bengal*, 1931, *Note on Future Population trends in Bengal*.

¹³Not available in QAP.

207

*E. I. Hashimi to M. A. Jinnah**F. 886/265*

ARAMCO OFFICE,
MANAMA, BAHREIN,
(P.G.), [PERSIAN GULF],
21 July 1947

Dear Quaid-i-Azam,

It has been a hard strife but your massive intellect has triumphed over the cynics and reactionaries. The spell of false lustre of united India is gone, and on the anvil of destiny a new millennium has been forged. Let us rise as one man and hats off to it!

I am an Indian Muslim, and ever since my arrival here my efforts have been consecrated—and will continue to be—to the support of the cause of Pakistan and to the promotion of a greater comprehension between Arabs and Indians cherishing the ideals of human freedom.

I haven't the slightest misgiving that issues of the hour, as well as those for all times, will be met by you with pride, discipline and vision.

Pakistan Zindabad!

Yours respectfully,
E. I. HASHIMI

208

*M. A. Jinnah to M. N. Kotwal**F. 757/176*

21 July 1947

Dear Sir,

I received your telegram on the 19th of July,¹ informing me [that] everything [was] ready. Consequently I have instructed the Habib Bank, to pay you immediately Rs. 1,40,000 (Rupees one lakh and forty thousand) for the balance of purchase price and for cost of charges and expenses. Brokerage items will be paid after completion separately, when their bill is submitted to me. I hope to be in Karachi on or before the 7th of August.

Please, therefore, now complete the transaction and get all the title deeds and papers and the sale deed properly executed and hold these papers with you until my arrival there.

Thanking you,

Yours faithfully,
M. A. JINNAH

M. N. Kotwal, Esq.,
Kotwal & Co.,
Solicitors,
Jehangir Kothari Building,
Bunder Road,
Karachi

¹No. 184.

209

M. A. Jinnah to Nizam of Hyderabad

F. 641/3

NEW DELHI,
21 July 1947

Your Exalted Highness,

I have received your letter of 15th July¹ and thank you very much for your greetings and good wishes. I shall always remain a friend of your Exalted Highness and the Musalmans of Hyderabad, and will do all I can to help Hyderabad always.

Yes, I shall be glad to see your delegation when they arrive here and shall help them in every way I can. But please do not take any final decision; and I hope, as you say in your letter you will do so with my "concurrence and knowledge".

With very kind regards,

Yours sincerely,
M. A. JINNAH

H.E.H. The Nizam of Hyderabad,
Hyderabad, Deccan

¹No. 162.

210

*Manager, Maiden's Hotel, Delhi to M. A. Jinnah**F. 1108/125*DELHI,
21 July 1947

Dear Sir,

QAZI MOHAMMAD ISA

The above named is indebted to this hotel for a sum of Rs. 784-4-6 and we shall be obliged if you will assist us in collecting the same.

Yours faithfully,
For Maiden's Hotel,
[SIGNATURE ILLEGIBLE]
Manager

The President,
All India Muslim League Committee,
Delhi

211

*M. A. Jinnah to M. N. Kotwal**Telegram, F. 84/26*

21 July 1947

Kotwal, Kotwal & Co., Solicitors, Bunder Road, Karachi,

Have instructed Habib Bank telegraphic transfer pay you one lakh forty thousand rupees for the balance purchase price¹ and cost [of Frere Town Quarter] charges and expenses, brokerage items will be paid after completion separately when their bill is submitted to me.

[M. A.] JINNAH

¹Also see No. 208.

212

*C. P. Scott to M. A. Jinnah**F. 503/1*

No. 1142/5

THE VICEROY'S HOUSE,
NEW DELHI,21 April [sic for July]¹ 1947

My dear Mr. Jinnah,

H. E. has asked me to write to you and say that the following announcement will be issued from 10 Downing Street, to appear in the morning papers on Tuesday next, July 22nd:

"As already announced, H. M. G. in the United Kingdom propose to appoint separate High Commissioners as their representatives in India and Pakistan. The first High Commissioner in Pakistan will be Sir Laurence Grafftey-Smith, K.B.E., C.M.G., lately H.M.'s Minister Jeddah, who will take up his duties on August 15th.

"Sir Terence Shone, K.C.M.G., will remain as High Commissioner in India".

Yours sincerely,
C. P. SCOTT

¹In the original, the date was erroneously given as "21st April 1947". The decision to appoint separate High Commissioners in Pakistan and India was first communicated to Mountbatten by Listowel on 15 July 1947. See No. 120, TP, XII, 178.

213

*M. A. Jinnah to Executive Officer, Lahore Cantonment Board**F. 757/170*

21 July 1947

Dear Sir,

I am in receipt of your Notice dated 8th July 1947¹ saying that you propose to revise the assessment of my Bungalow, No. 53, Lahore Cantt., from Rs. 3,600 to Rs. 8,400 with effect from 1st April 1947. It seems to me that the ways of your office are extraordinary. To begin with, you want the assessment to be retrospective and secondly, you want to assess it suddenly on the basis of Rs. 8,400 from [sic] Rs. 3,600.

All that I can say is that it is a very astonishing procedure to adopt.

Next, as to the increase from Rs. 3,600 to Rs. 8,400 it appears an extraordinary proposal to me. It is true that the total rent of the Bungalow is Rs. 8,400 but that is the gross rent and it is against every canon of fair assessment to fix the gross rent as the basis of assessment. I, therefore, hope that you will consider all these matters and in my opinion Rs. 3,600 is a perfectly fair basis and that amount should not be increased, because after deducting the various items such as possible vacancies, repairs, expenses in collecting rent, insurance, income-tax, Municipal taxes, etc., the net return is about [Rs.] 3,600 which is a fair basis for assessment and should not be altered. As a matter of fact the net rent realized from this property hardly gives me 2 p.c. on the purchase price paid.

Yours faithfully,
M. A. JINNAH

Executive Officer,
Lahore Cantonment,
Cantonment Board,
Lahore Cantt.

¹No. 65.

214

Mir Laik Ali to M. A. Jinnah

F. 910/349-50

MASERRET MUNZIL,
ABID ROAD,
HYDERABAD, DECCAN,
21 July 1947

NOTICE OF FIRST CALL
O.S.¹ RS. 15 PER SHARE

Dear Sir,

We beg to inform you that the Directors of the Company have resolved that a call of O. S. Rs. 15 (or B. G.² Rs. 12-14-0) per share be made in respect of the shares upon the members of the Sirsilk Ltd., and the amount is desired to be made payable on or before Tuesday the 30th September 1947 (30th Aban 1356 F.)³

The amount payable on 1,000 shares held by you is B.G. Rs. 12,875 and we request that you will kindly remit the amount on or before the afore-said date either at the Registered Office of the Company at the above

address or to the Company's bankers, viz., the Hyderabad State Bank, Imperial Bank of India, and the Central Bank of India Ltd., Hyderabad, D[ecca]n.

It was further resolved that in the event of default of payment on the aforesaid due date interest at the rate of six per cent will be charged from 1st October 1947 upto the date of payment and until such date as the Directors may decide after which date, in accordance with the Articles of Association of the Company, the shares will be liable to forfeiture.

Yours faithfully,
MIR LAIK ALI
General Director,
for the Sirsilk Ltd.,
The Hyderabad Construction Co., Ltd.

- Note. 1. This form must be produced at the time of payment, which will be retained by the office.
2. Cheques should be made payable to the Sirsilk Ltd., and crossed. As the amount due is payable at Hyderabad, D[ecca]n in case of cheques payable out of Hyderabad, Deccan. An amount to cover bank collection charges should be included in the remittance.

¹Osmania State.

²British Government.

³Asif Jahi Calendar.

215

H. M. Patel to M. A. Jinnah

F. 127/411

IMMEDIATE/SECRET
No. P. O. 29/PC/47

PARTITION OFFICE,
GOVERNMENT OF INDIA,
NEW DELHI,
21 July 1947

In continuation of this office memorandum No. P.O. 28/PC/47, dated the 19th July, 1947,¹ the undersigned is directed to circulate to the members of the Partition Council the following additional items of agenda for the meeting of the Partition Council called for 5 p.m. tomorrow, the 22nd July.²

1. Recommendations of the Steering Committee³ on Expert Committee No. I's Memorandum No. 1/EC(I) dated the 17/19th July, 1947, regarding the division of furniture and office equipment

(Papers attached)

2. Issues connected with the partition work in the Punjab

(Note attached)¹

3. Plan of action in the event of possible clashes or disturbances in the neighbourhood of the boundaries between the two Dominions.

(Note attached)⁵

H.M. PATEL

¹No. 199.

²Emphasis in the original.

³F. 127/412, QAP. Not printed.

⁴Enclosure 2.

⁵F. 127/673-5, QAP. Not printed.

Enclosure 1 to No. 215

F. 127/413-6

No. 1/E.C. (I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. 1,
NEW DELHI,
17/19 July 1947

MEMORANDUM

Subject: Proposals for the division of furniture and office equipment

Reference paragraph 4 of this Committee Memorandum No. 1/E.C.(I), dated the 9th July 1947,¹ regarding the procedure in dealing with reports from Departmental Sub-Committees. An examination of the reports received shows that widely varying principles have been adopted by the various Departmental Sub-Committees in the division of office furniture and equipment and that in a number of cases the Sub-Committees have not found it possible to arrive at an agreement. The basic difficulty is that with the Partition it is inevitable that there would be an increase in the overall strength of the staff and there is not enough furniture and office equipment to go round, particularly because many of the offices have expanded considerably during the war and the increase in office equipment and furniture has not necessarily kept pace. On the other hand, the possibilities of local purchase in the Pakistan regions of furniture and office equipment are limited and several items of office equipment are not available at all. It is, therefore, necessary that the Pakistan Government should be given a share

in the office equipment and furniture to enable it to meet its initial requirements. The whole question has been considered by Expert Committee No. I in all its aspects and the following formula has been evolved as the best compromise and as involving the minimum amount of inconvenience to both the Government:

A. OFFICE FURNITURE

- i. Offices located in Delhi (including their branch offices in Simla) that are going to be divided 80 per cent of the furniture according to the Government of India scale in respect of gazetted officers who have opted and are released for Pakistan and 75% of the furniture according to the Government of India scale in respect of other staff who have opted for Pakistan should be handed over to the Pakistan Government.
- ii. Offices outside Delhi that are going to be divided. The above formula will apply. The Committee has, however, recognized the special circumstances regarding the division of the headquarters of the Bengal and Assam and the North-Western Railways. There are large offices with a preponderance of staff who have opted to remain in India. It is therefore, proposed that, as an exception to the general rule, the Government of India should hand over to the Pakistan Government, out of the furniture that falls to its share under the general formula, such furniture as may be surplus to the needs of the new headquarters organizations of the Assam Railways and the Eastern Punjab Railways at Delhi.
- iii. Offices in Delhi and elsewhere that are not going to be divided (e.g. Income-tax Office at Delhi and the Controller's Office at Karachi). The Offices concerned will retain their furniture and the question of division between the two Governments will not arise.

B. OFFICE EQUIPMENT OTHER THAN FURNITURE

- i. Offices at Delhi which are being divided
(including the branches in Simla)

The Government of India would make available to the Pakistan Government 850 typewriters from among the typewriters in the offices at Delhi (and their branch offices at Simla) including all reserve stocks held by the Controller of Printing and Stationery. Office equipment including packing cases but excluding furniture, typewriters, staff cars, calculating machines, duplicators and permanent fixtures will be divided between the Government of India and the Pakistan Government in the proportion 8:20. Proposals regarding the division of calculating machines, staff cars and duplicators will be submitted later.

ii. Offices located outside Delhi which are going to be divided.

All the office equipment other than furniture in these offices will be divided between the two Governments on a 50:50 basis.

iii. Offices which are not going to be divided whether located in Delhi or outside.

These offices will retain their office equipment and no question of division between the two Governments will arise.

iv. Liveries. Class IV servants who have opted for Pakistan and are released should be permitted to take with them liveries that have been supplied to them except badges bearing official insignia of the Government of India.

2. The Committee has also considered the question of division of residential furniture at Delhi. It has been agreed, as a compromise, that residential furniture according to scale of the accommodation now occupied should be released by the Government of India to the Government of Pakistan in respect of 75 per cent of the officer staff/60 per cent non-gazetted staff who have opted for Pakistan and who are at present in occupation of Government residences in Delhi.

3. For facility of reference, a copy of the Government of India scale of furniture for residences and offices is enclosed.²

4. The above proposals relate to the physical division of office furniture and equipment and residential furniture at Delhi. The valuation of the furniture and equipment and the adjustment of financial liabilities relating to them is a matter for Expert Committee No. II, to whom a copy of the recommendations is being sent for information.

5. It is requested that the approval of the Partition Council be obtained to these proposals. This Committee will thereafter intimate the various offices at Delhi and Simla the number of typewriters they should release to make up the quota of 850 typewriters allocated to Pakistan.

[Para 6 omitted]³

P. V. R. RAO
M. AYUB

The Steering Committee,
(H. M. Patel /Mohamad Ali)

Copy for information to Expert Committee No. III

¹Not traced.

²Not printed.

³This para concerned a draft Office Memorandum to Govt. departments which, however, was not enclosed.

*Enclosure 2 to No. 215**F. 127/418*

ISSUES CONNECTED WITH THE PARTITION WORK IN THE PUNJAB

Note by the Viceroy

1. I visited Lahore on Sunday, 20th July, and met the Punjab Partition Committee.

2. I put before that Committee the views of the Partition Council on the matters discussed at their meeting on 17th July, as recorded in Case No. PC/56/6/47.¹

3. It was agreed that the Government of East Punjab should in any case move all unessential personnel to Simla on 10th August.

4. It was further agreed that, if the decision of the Boundary Commission places Lahore in the West Punjab, the remnants of the East Punjab Government should leave Lahore by midnight 14th/15th August; and that, if Lahore was placed in East Punjab, the Government of West Punjab should leave Lahore by midnight 14th/15th August – and that detailed plans should be made for this contingency beforehand.

5. It was agreed that the posting of officers should continue on the basis of the notional partition except in the case of Deputy Commissioners and Superintendents of Police in the districts of Gurdaspur, Amritsar and Lahore.

6. In these three districts there happen now to be British Deputy Commissioners and Superintendents of Police. It was agreed that these should remain in control until the 15th August; but that each side should be entitled to nominate personnel ready to take over from them, and that there would be no objection to these personnel being attached to the districts in advance of the 15th August, though without any executive authority. On the 15th August the British officials, and on or before that date the personnel of the Government *not*² entitled by the award to assume control, will be withdrawn.

7. I am glad to be able to report that all the members of the Punjab Partition Committee, and particularly the Sikh member, Sardar Swaran Singh, declared that their parties would accept and abide by the decision of the Boundary Commission.

8. I told them that the Central Partition Council had decided to issue a statement assuring minorities and warning against disturbances. I am glad to be able to report that the members of the Punjab Partition Committee agreed to issue a similar statement, signed both by themselves and by as many of the influential leaders in the Province as possible.

9. The Punjab Partition Committee was very keen that the decisions of the Boundary Commission should be promulgated at the earliest possible moment; and I am going to ask Sir Cyril Radcliffe if he can produce them by 10th August.

10. The members of the Committee told me that, apart from the two matters which they referred to the Central Partition Council, they had at present no other major points of difference, and things were going well.

¹Enclosure to No. 195.

²Underlined in the original.

216

Ali Muhammad Khan to British Government

F. 1122/92-3

12 COLOSSEUM TERRACE,
ALBANY STREET, LONDON, N.W.1,

21 July 1947

In the name of Allah, the Beneficent, the Merciful

AN OPEN LETTER TO THE BRITISH GOVERNMENT ON
BOUNDARY DEMARCATIONS
BETWEEN PAKISTAN AND HINDUSTAN

This letter¹ has been drafted, under my directions, by Prof. Abdus Sadeque of Calcutta, at present in London, and has been thoroughly discussed before its release. For this work I owe my thanks to Prof. Sadeque.

I thank my other friends as well who have taken pains to help me in its preparation.

ALI MUHAMMAD KHAN
President,
Muslim League Branch, Great Britain

¹Enclosure.

Enclosure to No. 216

F. 1122/94-117

BOUNDARY PROBLEMS
Boundary Commissions

450 COMMERCIAL ROAD,
LONDON E.I.,
21 July 1947

The British Parliament has passed the Indian Independence Bill.¹ It has provided for the creation of two Independent Dominions, Pakistan and Hindustan (Union of India), out of His Majesty's British Indian Territories. The Treaty relations with the Indian Princes have been annulled and they have been asked to arrange their relations with either of the Dominions. Hyderabad and Travancore have declared their independence² on the termination of British Paramountcy. Most of the other States have joined the Hindustan Constituent Assembly. Muslim Princes [*sic*] contiguous with Pakistan, such as Khairpur, Bahawalpur, Palanpur, Junagadh and Kalat may join the Pakistan Constituent Assembly when that is formed. On the basis of the provisional Plan of Partition³ British Indian Territories have been divided in such proportion that Pakistan gets a population of 68.7 million and Hindustan gets a population of 216.1 million. Princely India has got a population of 91.81 million, from which may be deducted 22 million, being the population of Travancore and Hyderabad. Of the 69.81 million of state subjects, 2.98 million will be added to Pakistan if the States of Balochistan, Khairpur, Bahawalpur, Palanpur and Junagadh join the Pakistan State; and the rest, i.e. 66.83 million, will be added to Hindustan if the remaining States join the Hindustan Constituent Assembly. Therefore, under the provisional Plan of Partition, Pakistan gets 71.68 millions of people while Hindustan gets 282.93 millions of people.

This division of population may be altered a little by two considerations. Bhopal and Kashmir may assume independence. But the change in the position which may be caused by this is insignificant. The second factor, however, is an unknown quantity. The present demarcations are simply provisional boundaries. The final settlement and the final demarcations of boundaries will be determined by the Punjab and Bengal Boundary Commissions, both of which will be presided over by a common President. Sir Cyril Radcliffe, the leader of the English Bar, has been appointed common President of the Boundary

Commissions, and four High Court judges have been appointed in each Commission. In an editorial leading article on the Boundary Commissions, the *Hindustan Times* of 2nd July 1947,¹ after remarking that the judges chosen are men of great ability and high reputation, points out that it is the duty of every member to remember that on a satisfactory settlement of the boundaries depends, to a great extent, the future peaceful relations between India and Pakistan. But the comment of the *Hindustan Times* has been an understatement of the real situation. For not only will the future peace be disturbed, but the present peace also has been seriously affected on the occasion of the inception of the Boundary Commissions, particularly in the Punjab and Bengal.

The *Hindustan Times* further adds that it is a happy idea to have a common Chairman for both Commissions, so that, as far as possible, the decisions of both will be based on the same general principles. This is undoubtedly true, particularly in view of the facts that terms of reference of both the Commissions are the same and that these include the demarcation of boundaries of the two parts of the Punjab and Bengal on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims; and that in doing this they have been instructed also to take into account "other factors". From the terms of reference it may seem that the task of the Commissions is very simple. The provisional boundary lines have been ascertained on the principle of communal majorities, taking the districts as the units. The Commissions are to put the principle of communal majorities a step further, taking the smaller units such as sub-divisions, *thanas*, *talukas*, *tehsils* and even *mohallas* into consideration. For example, the District of Khulna, which has got a non-Muslim majority of 50.6 per cent, has two sub-divisions contiguous with Eastern Bengal in which there are Muslim majorities; these sub-divisions should, therefore, be shifted to Pakistan. Corrections can similarly be pushed further to smaller and smaller units. In any case, communal majorities being the principle of boundary demarcations, the work of the Boundary Commissions seems to be quite easy. Border districts are to be split up into smaller and smaller units, and if in the process of sub-division a particular unit gets a majority of the community different from the majority of the parent unit of which it is a part, the smaller unit shall be shifted to the other side of the boundary. That is to say, if the sub-divided part had been a part of a Pakistan district, it would be transferred to Hindustan, and if it had been a part of a Hindustan district, it would be transferred to Pakistan.

The only difficulty which the Boundary Commissions are likely to

face is that relating to the phrase "other factors" in the terms of reference. The Commissions have been instructed also to take into account "other factors". What these "other factors" are, there is absolutely no mention. One has only to guess what these "other factors" may possibly be. Economic considerations must undoubtedly weigh in partitioning a country into two political units, because economic factors provide the basis of human life. Division on the basis of simple communal majorities may necessitate a division of economically indivisible means of production. For example, such a division may mean the splitting up of an irrigation system, and such splitting up may destroy the whole system itself. Under such circumstances, the Commissions have to decide which of the two principles, communal majorities, or economic considerations, should be given priority in demarcating the boundaries, or even some sort of compromise should be made between the two principles. This deviation from majority principle on economic considerations may be both qualitative and quantitative. If Pakistan takes a Hindu majority area on economic grounds, it may compensate Hindustan by ceding a Muslim majority area of the same dimension. In this case the relative position remains the same. But the transfer of a particular, say Muslim majority area, to Hindustan may also be one-sided if the Commissions so decide. Another factor which may weigh with the Commissions in demarcating the boundaries between Pakistan and Hindustan is the cultural one. Certain towns or areas, because of their historical or cultural associations with a particular community, should belong to that community. On such considerations, the towns of Delhi, Agra, Aligarh, Hooghly may be given over to the Muslims. Both economic and cultural transfers may be balanced by compensatory retransfers, and these need not be considered a serious breach of the communal majority principle on which the Boundary Commissions are mainly to work.

But the greatest difficulty lies in the application of the principle of communal majorities itself. If the boundary is to be demarcated on the basis of local majorities, and if majority issue is decided on the basis of very small areas, the boundary line can be passed through any place of a mixed population to the benefit of a particular community. For example, in demarcating Western Punjab from the eastern the boundary line can be pushed to the furthest eastern end by drawing a zigzag line only through Muslim *mohallas* in the eastern-most Punjab districts. To the west of the line, there will be considerable Hindu pockets and Hindu majority areas, but on the border line, there will be Muslim majority areas only. In the reverse case, to benefit the non-Muslims,

the boundary line can be pushed to the furthest western extremity of the Punjab, by making the line pass through non-Muslim majority areas of the Western Punjab districts. The imaginary drawing⁵ below will clear this point.

The circles in the drawing represent Muslim localities and the rectangular figures non-Muslims. On the left is Pakistan and on the right is Hindustan, and the central line is the provisional boundary on the communal majority basis by districts. If the electoral units are made very small, there would be a medley of Hindu majority and Muslim majority areas all over the country. The Hindus may suggest the boundary line number 1, which passes through Hindu majority electoral units only; although on a bigger unit basis, the line passes through the heart of the Muslim majority area. Similarly the Muslims may suggest the boundary line number 2, which passes through Muslim majority electoral units only; although, behind the line, there is a substantial Hindu majority area, when the majority is judged on a bigger unit basis. The reduction of electoral units to very small areas brings an extraordinary fluidity in the boundary demarcation, and consequently will be the inevitable harbinger of communal warfare. The electoral districts should, therefore, be kept as big as possible.

What is the optimum size of an electoral district? In the provisional Plan of Partition, the present administrative districts have been taken as electoral units. But these districts are of very *[sic]* various sizes. For example, in Bengal, while the District of Mymensingh has got a population of 6,023,758, the District of Darjeeling has a population of only 376,369. The Districts of Jalpaiguri and Darjeeling have been included in Hindustan (in the provisional Partition Plan) because they are non-Muslim majority districts, while the District of Rangpur, as a Muslim majority district, is in Pakistan. If these three districts are combined into one district only, their total population becomes 4,343,729; which is only two-thirds of the population of the Mymensingh District. And the combined district (of Darjeeling, Jalpaiguri and Rangpur) become a clear Muslim majority district, and on that ground the entire district may be included in Pakistan. Similar examples may be cited from the Punjab. The Districts of Montgomery and Lahore have been included in Pakistan (in the provisional Plan) as Muslim majority districts, while the contiguous Districts of Ferozepur, Jullundur and Amritsar have been included in Hindustan as non-Muslim majority districts. But if Montgomery is combined with Ferozepur into one district, the combined district becomes a Muslim majority area. Again, if Lahore be combined with Jullundur and Amritsar the combined district becomes

a Muslim majority unit. The question arises, why should Lahore, Amritsar and Jullundur not be one district, and why should they be three districts? It is well known that there is no principle involved in dividing these areas into three districts. They could as well be made, and can even now be made one district. That these areas are today three districts is simply an historical or administrative accident. There is as much reason or unreason for this area to be one district or three districts.

Because the present administrative districts of British India are not based on any scientific principles, it is not true to think that the districts cannot be reorganised on scientific basis. The basis of reorganisation, to make it scientific, should be geographical and economic. Geographically, the areas whose main waters are drained by one system, or which are watered by one system, may be said to form one natural district. According to this principle, Bengal may be divided into four natural districts, as follows:

1. Rajshahi Division or Northern Bengal, contained in the triangle of Padma and Brahmaputra, into which the rain waters of these are drained, constitutes one geographical area. In this is to be included the eastern half of the Purnea District of Bihar and the Brahmaputra Valley of the Assam Province, as well as the western fringes of Mymensingh/Dacca Districts.

2. Burdwan Division or Western Bengal in which is to be included the Chotanagpur Division of Bihar, constitutes the second geographical region. This area is drained by the Rivers Damodar, Kasai, Subarnarekha and Rupnarayan.

3. The third natural district of Bengal is Central Bengal comprising all the districts of Presidency Division plus Faridpur and Bakarganj Districts of Dacca Division. This region is drained by the tributaries of Padma and its southern part is well within the tidal bore.

4. The fourth natural district of Bengal consists of Eastern Bengal comprising the eastern parts of Mymensingh and Dacca Districts, the Chittagong Division and the Surma Valley Division of the Assam Province. This area is watered and drained by the river Meghna.

Geographically Bengal is not divisible into more natural areas than four. With the exception of Central Bengal Division, all the other three Divisions include areas outside the boundaries of the Province of Bengal. In the case of Northern, Eastern and Central Bengal, the demarcation lines are not pronounced, and each area imperceptibly merges with the two others. Moreover, these three areas have the common geographical characteristic of being deltaic or flood areas. But so far as Western Bengal is concerned, it is fundamentally different from the

three other divisions of Bengal. It is neither a flood nor a deltaic area, and it is watered by inundation rivers.

But from the economic standpoint, Bengal is divisible into only two areas. Economic division is not completely independent of geographical factors, which as a matter of fact constitute the natural or land factor of economics. Natural factors worked out by men represent the economic factors and wealth. The eastern section of Bengal, for example, produces jute, which may be supposed to be a mainly natural phenomenon. This jute is manufactured in Calcutta; which is primarily a human activity. Again, the factories in Calcutta depend for their power supply on Raniganj coal-fields, another natural phenomenon. Thus the human activity in Calcutta in the form of jute industries have combined Raniganj Calcutta and Eastern Bengal into one unit. In other words economic activities have given a unity to the whole of Eastern Bengal up to Calcutta with the Birbhum District and Asansol Sub-division of Burdwan District.

Again, the five districts of Western Bengal (Midnapur, Bankura, Hooghly, Howrah and Burdwan minus Asansol Sub-division) form an economic unit with Chotanagpur of Bihar Province. This economic unity has been affected by the complete water control system of the River Damodar, which has made the whole area an organic unit.

In the Punjab, there are two clear cut geographical divisions. The Eastern Punjab is drained by the River Jumna and the Western Punjab is drained by the Indus system. The demarcation line between them is the imaginary ridge somewhere midway between the two systems. Now the economic division of the Punjab has tallied with the geographical division. The huge irrigation system have been constructed to tap the waters of these two rivers, and these have become two systems by sheer necessity.

To try to divide a geographical or economic entity is nothing short of wanton destruction. For example, to divide the jute growing Eastern Bengal from Calcutta will be tantamount to the destruction of Calcutta within a few years, similarly any attempt to keep Chotanagpur separate from Western Bengal districts will be ruinous for both. If some districts or parts thereof are separated from the Indus irrigation system, these will suffer economic ruination. For this reason the maxim may be generalised that minimum economic and geographical units must not be further sub-divided if the economic welfare of the people is to be safe-guarded.

If these geographical or economic basis be accepted for the formation of political units, Bengal with Assam and Chotanagpur will consist of

four electoral districts. Of these four districts, East[ern], Central and Northern Bengal will have Muslim majorities, while Western Bengal will have a non-Muslim majority. Each of these units can be further sub-divided in such a way that each sub-unit has the majority of that community which is in a majority in the Division as a whole. Again, the division may also be sub-divided in such a way that in some sub-units the majority community is in the majority while in the other sub-units the minority community is in the majority. Taking for example Central Bengal, we find that there are at present seven administrative districts, of which Murshidabad, Nadia, Jessore, Faridpur and Bakarganj are Muslim majority districts, and 24-Parganas (with Calcutta) and Khulna are Hindu majority districts, while the division as a whole has got a Muslim majority. By re-drawing the boundary lines of the seven districts we can make every individual district a Muslim majority district. A plan for that is given in the map.⁶

That is what is known in politics as "gerrymandering". The newly planned districts have as much sacrosanctness as the existing administrative districts. Neither of these two has got any special sanctity. As the majorities in the sub-units of a natural division can be manipulated at will, there is no inherent political significance in the majority of a particular community in a sub-unit. If it is decided that a part of a geographical division is to be given over to the minority community of that division, an area can be gerrymandered or carved out of that division in which the minority community has got a local majority. But the questions whether a part should be given to the minority community, and if so of what dimension, are to be decided independently by considerations other than the local majorities of the minority community, because the minority community can always be gerrymandered to be in a perpetual minority.

For example, in India as a whole, the Muslims are in a minority, and if India remained one country it would be ruled by the majority community. But, to free the Muslims from this majority rule, the Muslim majority provinces have been separated from India to allow the Muslims to establish their own rule in their own majority areas. In Bengal and the Punjab the Muslims are in a majority. To free the non-Muslims from the Muslim majority rule, the non-Muslim majority areas are to be segregated from the Punjab and Bengal. But at this point we are face to face with the problem of gerrymandered boundaries of existing districts or of proposed altered districts. There is no absolute standard to determine which boundary should be accepted to determine the local majority of the minority community. With this

fluidity as regards gerrymandered boundaries, any area not exceeding the habitation of double the number of the minority community can be declared as the local majority districts of the minority community. It is, therefore, not a matter of judicial decision at all. As at high political level it has been decided to divide India between Pakistan and Hindustan to safeguard the Muslims and also to divide the Punjab and Bengal to safeguard the non-Muslims, it should also have been decided at the same high political levels what total population Pakistan should include in the whole of India. Without this policy decision, it is not possible for any judicial body to determine the extent of the local majority area of any minority community. For example, the Muslims, having a population of 95 million, can with justice claim for themselves two or more gerrymandered areas comprising a population of $95+94=189$ millions of people. On the other hand, the Hindus with equal justice, claim, with a different basis of gerrymandered districts that no where in India do Muslims form a local majority. In between these two extremes a judicial body can decide anything with a clear conscience. Hence, before the Judicial [*sic* for Boundary] Commissions are called upon to adjudicate the boundaries between Pakistan and Hindustan, the question of this high policy (that is, how much population Pakistan should include) has to be decided at the same high political levels at which the partition question has been decided. Once this question of principle is decided, it will be quite easy for the judicial committee to fix up the boundaries on the evidence of the requirements of the two contending parties. On the parts where the statements of the contending parties tally, the Judicial Commission will accept those as settled. On the points, where the claims and counter-claims of the contending parties differ, the Judicial Commissions will split up those differences in such a way that all those split-up differences added to or subtracted from the provisional Pakistan areas make up the total population of Pakistan equal to the total agreed upon at high political levels. From this it follows that there should be one Judicial Commission to adjudicate the boundaries of two or more wings of Pakistan, because all the Pakistan wings are to be co-ordinated to make up its population equal to the agreed total. Of course, the two Boundary Commissions that have been set up in this connection have got one common President. But the common President only cannot possibly co-ordinate completely the works of the two Commissions. Both the Committees [*sic*] have to be merged up [*sic*] together to make one Commission.

In the allocation of territories to Pakistan and Hindustan, it has to

be seen that the majority principle of democracy is complied with. But as we have already seen, the majority rule may be complied with, with or without the partition of India, and with or without the partition of Bengal and the Punjab. If India is not divided at all, there is clear Hindu majority for the whole country and as such democratic principle is satisfied without conceding Pakistan at all. Again, over the whole area claimed by the Muslim League for Pakistan with undivided Punjab, Bengal and Assam, there is a clear Muslim majority. Hence, for the satisfaction of the democratic principle of majority rule, it is not necessary to cut off parts of the Punjab, Bengal and Assam from Pakistan areas. Over and above, Pakistan areas can be inflated to include $95+94=189$ millions of people, still satisfying the democratic principle of majority. Hence on this point the Judicial Commission will not be in any difficulty because the claims of the Muslim League fall far below this possible maximum limit. Majority principle can very easily be complied with in both Pakistan and Hindustan, whatever be the population allotted to Pakistan below 189 million.

It is thus apparent that a Judicial Boundary Commission can adjudicate the boundary between Pakistan and Hindustan only when the two issues of high principles are decided at high political levels. The first principle is that it should be decided [*sic*] what should be the total population of Pakistan, and the second principle is that there should be one Judicial Commission so that it can co-ordinate the different boundaries to make them tally with the first principle. But as things are, the matter has been referred to two Judicial Commissions without any decision on the fundamental point of the ratio of population between Hindustan and Pakistan. The question of principles that should have been decided by high political quarters has been thrashed on the Judicial Commissions in two mainly disjointed bodies.

If the Judicial Commissions have to decide on what basis the ratio of population between Hindustan and Pakistan should be ascertained (or if high political quarters decide that issue even now), what should be the considerations that would weigh with them in that decision? Democracy being the order of the day and the equality of man being the basis of democratic organisation, we can at once declare that the territories of India should be divided between Hindustan and Pakistan in strict proportion to the non-Muslim and Muslim population of India. Assuming the present distribution of population to be a normal situation brought about by natural and economic forces, Pakistan should include a total population equal to the total Muslim strength of India, while Hindustan should include a population equal to the total non-Muslim population of

India. In 1941 Census the Muslims numbered 95 million out of the Indian total of 389 million. Pakistan areas should, therefore, have a population of 95 million and Hindustan 294 million. In the Pakistan areas claimed by the Muslim League, in which the Punjab, Bengal and Assam are to be included in undivided units, there are about 110 millions of people; and even then there are Muslim majorities in both the wings of Pakistan. By reducing the areas of Pakistan in both the wings, the Muslim majority will be all the more pronounced. Therefore, democratic principles will be complied with, fully in a Pakistan of 95 millions of people. The Muslim majority areas of 95 million, being dropped out, it is superfluous to point out that non-Muslim majority in Hindustan will be all the greater.

Over and above the fulfilment of democratic condition by such proportional democratic condition by such proportional partition, there is the additional advantage of equality of Muslim minority of Hindustan with the non-Muslim minority of Pakistan. This equality of minority will serve as the most effective safeguard against the tyrannies of majority over minority in both the States. In view of the eternal hostilities between the Hindus and Muslims, and of the particularly strained relations at present, Muslims are likely to be treated as foreign nationals in Hindustan and a similar behaviour may be meted out to Caste Hindus in Pakistan. All these minorities should, therefore, have a potential national home in the other State, which will see to the safeguarding of their interests, and in the extreme case, to reclaim them within their own boundaries. But such a transfer may be practicable only when the minorities in the two succession States are equal in number.

The equality of minority is not only the safeguard against a distant eventuality but it is an immediate necessity. The extent of recent migrations from Bihar has convinced impartial observers that voluntary migrations will involve, at least, 20 per cent of the total Muslim minorities in Hindustan in the immediate future. Without the principle of equality of minorities, this problem of migration will be utterly impossible of solution. Of course, it must be admitted that the bulk of the minorities will remain where they now are. Oppressions on them can be kept in check by the threat of reprisal on the minorities in the other State. But very little can possibly be done to bring to them the benefits of positive state services to develop their culture. Many of them may still desire to migrate to the areas of their own majorities, but financially migration may be an impracticable proposition. State-assisted migration may come to the rescue of these people. Any tendency towards

inequality of cross-migrations could be adjusted by slight State efforts. These will simply amount to exchange of habitations and there need not be over-crowding in one area and thinning out in the other. But this balance can always be maintained only with the equality of minorities in the two States at the start.

From the above considerations it seems clear that the distribution of Indian territories between Pakistan and Hindustan in strict proportion to Muslims and non-Muslims is the most equitable and the most democratic allotment that one can possibly imagine. Let us next see where-through the boundary lines between Pakistan and Hindustan will run if we apply the principle of proportional distribution. But before we can begin this investigation we are to allow some corrections in the population figures due to the defection of some native States from both the proposed Dominions. Travancore and Hyderabad have already declared their firm determination to assume sovereign rights on the termination of paramountcy on the 15th August, 1947. Due to its peculiar position with Muslim subjects under a Hindu prince, Kashmir also will be forced to follow this course. Hence the populations of these three States should be omitted from the Indian population total and their territories will be considered to be situated outside the boundaries of India. These States have a Muslim population numbering 5 million; and as such Pakistan should contain a population of $95.5 - 5 = 90$ million and Hindustan should include a population of 272 million. Of the other States, five are likely to join the Pakistan Dominion, partly because they have Muslim princes and partly because their territories are contiguous with Pakistan. Of the remaining States, most have joined the Hindustan Dominion and the rest are likely to follow suit. Hence the population strength of Pakistan under the provisional Plan of Partition will be as follows:

BRITISH INDIAN TERRITORIES

<i>Regions</i>	<i>Population in millions</i>
Sylhet	3
Eastern Bengal	41
Western Punjab	17
Sind	4.2
British Balochistan	.5
North-Western Frontier Province	3
Total	68.7
<i>Princely India</i>	
Bahawalpur, Khairpur, Palanpur, Junagadh [and]	

Balochistan	2.9
Grand Total	71.6

Out of 90 million allotted to Pakistan it has got only 71.6 million. Pakistan has thus a deficiency of 18.4 million, and consequently Hindustan has got an excess of 18.4 million. This number should therefore be subtracted from Hindustan and added to Pakistan. To see which particular territories should be added to Pakistan, we are to examine the claims of other territories by the Muslim League. The Muslim League territorial claims include all the areas contained in the provisional Plan plus Eastern Punjab, Western Bengal and the rest of Assam. The Pakistan envisaged by the Muslim League will have a population as follows:

<i>Regions</i>	<i>Population in millions</i>
1. British Indian territories	68.7
2. Princely India	2.9
3. Assam minus Sylhet	7
4. Western Bengal	19
5. Eastern Punjab	12
Total	109.6

The original claim of the Muslim League therefore exceeds the population strength of Muslim India. It exceeds the limit by $109.6 - 90 = 19.6$ million. Territories comprising a population of 19.6 million are to [be] deducted from it.

To ascertain which particular areas should be excluded we are to be guided by geographical and economic considerations. Those areas which, being added to the Pakistan regions, will form complete geographical and economic entities should be included in Pakistan; and those areas which, being deducted from Pakistan, will not mutilate any geographical and economic entity, should be excluded from Pakistan. According to this principle we found that the Central Bengal should be rounded off by adding to it the Districts of Khulna, 24-Parganas and Calcutta which have been placed in Western Bengal by the provisional Plan. The industrial areas of Calcutta and 24-Parganas depend for their power supplies on Raniganj coal-fields in the Assansol sub-division of Burdwan District. Thus the northern part of Birbhum District contiguous with the coal-field and the Asansol Sub-division itself form an integral part of Central Bengal. The population transfer involved in this area is as follows:

<i>Names</i>	<i>Population</i>
Khulna	1,943,218

24-Parganas	3,536,386
Calcutta	2,108,891
Northern part of Birbhum	800,000
Asansol Sub-division of Burdwan	600,000
Total	8,988,495

Similarly Eastern Bengal will be rounded off by including the other districts of the Surma Valley over and above the Sylhet District. The additional population which will be added for the inclusion of Cachar, Khasi-Jaintia Hills, Naga Hills and Lushai Hills is 1,218,875.

Northern Bengal cannot be rounded off without including the whole of the Assamese people. Leaving aside the areas densely populated by the Assamese, other districts may be included in Northern Bengal. The entire Districts of Goalpara and Garo Hills may be included, while the southern half of Naogaon, Sibsagar and the south eastern part of Lakhmipur District may be included in Pakistan without seriously affecting the habitation of the Assamese people. The population involved in the regrouping will be as follows:

<i>Names</i>	<i>Population</i>
Goalpara	1,014,285
Garo Hills	233,569
Naogaon (southern half)	250,113
Sibsagar (southern half)	100,000
Lakhmipur (south eastern)	100,000
Total	1,697,967

The Districts of Jalpaiguri and Darjeeling must naturally be added to Northern Bengal. The population involved is as follows:

<i>Names</i>	<i>Population</i>
Jalpaiguri	1,089,513
Darjeeling	376,369
Total	1,465,882

The eastern half of Purnea District in Bihar, to the east of the ridge between the Rivers Karatoa and Kushi, forms a geographical part of Northern Bengal. Similarly, the three north-eastern sub-divisions of Santhal Parganas District are an integral part of Central Bengal. Both the eastern Purnea and south-eastern Santhal Parganas are actually Muslim majority areas. The population involved in these two areas is .9 million.

Lastly, the Eastern Punjab is not really a part of the Punjab geographically. The Eastern Punjab districts are drained by the River Jumna. Here geographical and economic divisions have become identical by the two irrigation systems of Sutlej and Jumna. The ridge

between the Jumna and the Sutlej constitutes the natural boundary between Western and Eastern Punjab. But the Districts of Amritsar, Ferozpur and Jullundur, plus the western fringes of Hoshiarpur and Kangra, belong to the Sutlej System; and as such these areas should be added to Western Pakistan to make it an economic entity. The population involved is as follows:

<i>Districts</i>	<i>Population</i>
Amritsar	1,423,076
Ferozpur	1,413,876
Jullundur	1,127,190
Western fringes of Kangra, Hoshiarpur	340,000
Total	4,304,142

All the suggested transfers to Pakistan domain are put here below:

<i>Names</i>	<i>Population in millions</i>
In Central Bengal (Calcutta etc.)	8.9
In Eastern Bengal (rest of Surma Valley)	1.2
From Assam Valley (Goalpara etc.)	1.7
Jalpaiguri and Darjeeling	1.4
From Bihar (and Chotanagpur)	.9
In the Punjab	4.3
Total	18.4

The total of these transfers, amounting to 18.4 million, added to the 68.7 million of the provisional Plan and the 2.9 million of the five Muslim States, make up the total of 90 millions of people in Pakistan leaving 272 million in Hindustan. This is perfectly equitable to both the parties. Both the States will have the respective majorities of their own people and thus will be democratic. The Eastern Wing of Pakistan will include:

1. The whole of Surma Valley
2. The entire Districts of Goalpara, Garo Hills and the southern halves of Naogaon and Sibsagar and the south-eastern part of the Lakhmipur Districts of the Assam Valley
3. The whole of Bengal except the Districts of Midnapur, Bankura, Hooghly, Howrah and Burdwan (minus Asansol Sub-division)
4. The eastern half of Purnea District and the north-eastern part of Santhal Pargana Districts of Bihar.

The Western Pakistan will include:

1. The whole of Balochistan
2. North-West Frontier Province
3. Sind

4. The States of Khairpur, Palanpur, Junagadh, Kalat and Bahawalpur

5. The Western Punjab of the provisional Plan plus the Districts of Amritsar, Ferozpur and Jullundur, as well as the western fringes of Hoshiarpur and Kangra Districts.

A PLEA FOR THE BENGALI HINDUS

The five districts of Western Bengal and the Chotanagpur Division of Bihar may be combined together to form a separate Province of Bengal, in which Bengali Hindus will form a substantial majority. This area forms a natural geographical and economic entity. The area is drained mainly by the River Damodar, and the total water-control scheme for Damodar will make the area an agriculturally prosperous province. The mineral deposits of the whole of India seem to be concentrated here. It has the industrial capital of India—Jamshedpur situated within it as well as the port of Howrah which also is the terminus of the great Indian continental railways. The Bengali Hindu genius will get full scope in developing this new province. The population strength of the new province will be as follows:

<i>Names</i>	<i>Population</i>
Five Districts of Burdwan Division (minus Assansol plus southern Birbhum)	8,887,369
Chotanagpur	7,516,349
Total	16,403,718

Bengali Hindus will constitute a substantial majority of this new province. The Hindu Bengal should concentrate all its energies to persuade its own Congress organisation to carve out this new province rather than quarrel with the Bengali Muslims. In this direction lies their salvation.

A PLEA FOR THE SIKHS

There are 5,691,447 Sikhs in the whole of India. Of this total, more than 5.1 million live in the province and the States of the Punjab. Nearly the whole number of 1,542,685 Sikhs living in the Punjab States are concentrated in the four Sikh States of Patiala, Jind, Nabha, and Kapurthala. The Sikhs living in the British Indian Province of the Punjab, numbering 3,757,401 have been split up in equal numbers in the provisional Plan of Partition between Western and Eastern Punjab. The tragedy of the Sikh situation is that in no district they form by themselves an absolute majority and, the principle of local majority being accepted as the basis of state formation, the Sikhs could not get political recognition anywhere. Even in the four Sikh States, the Sikhs form but one-fourth of the total population.

In the partition of the Punjab, the Sikhs played a significant role. The Muslim League, to maintain the unity of the Punjab, wanted to concede an autonomous Sikh state within Pakistan but the Sikhs did not listen to this. As things are, the Sikhs have no other prospect now than complete dissolution as a community. Now they are talking of transferring nearly three millions of their people from the Pakistan to the Hindustan part of the Punjab. There is no doubt about the fact that without migration and concentration of the Sikhs in some areas, the Sikhs have absolutely no political future. But this whole-scale migration and concentration of the Sikhs are possible only with the fullest cooperation of the Muslims. The Muslims constitute forty-one per cent of the population of the Sikh states, the Hindus 34.6 per cent and the Sikhs only 24.4 per cent. If the Sikhs can exchange their own numbers either with the Muslims or the Hindus in a whole-sale fashion, they can secure their majority in the Sikh states. If they cannot do this now, the last vestiges of the Sikhs, that is, the four Sikh states, will disappear in the democratic wave that will over-take these areas in the near future. The exchange of population cannot be effected with the Hindus of these areas and that for two reasons. The Sikh state must be formed in the eastern part of the Punjab to avoid being surrounded by the sea of Muslims. The Hindus of the eastern districts will not go to the western districts of the Punjab to make room for the Sikhs of western districts in the proposed Sikh state. Secondly, the Hindus of the proposed Sikh state cannot be moved to the farther east because there are no Sikhs to be exchanged with there. As the bulk of the Sikh people are in the western districts of the Punjab and as the Muslims form the single biggest community (of 41 per cent) even in the four Sikh states, which will in any case form the nucleus of the bigger Sikh state to be, the Sikh majority in the eastern districts can only be formed by exchanging the Sikhs of the western districts with the Muslims of the eastern districts. By refusing the facility of concentrating and forming a Sikh area offered by the Muslim League, the Sikh leaders have ordained for their community an inevitable doom. The Sikh leadership has thereby demonstrated an unbelievable degree of lack of vision and bankruptcy of political wisdom. An attempt, however, can even now be made to save this situation, but the initiative has now to come from the Sikhs themselves. The proposal has now to be made sufficiently attractive to the Muslims. The creation of a Sikh majority state involves a very great voluntary sacrifice on the part of the Muslims, to transfer more than two millions of Muslims from the eastern districts to the western. This sacrifice will be voluntarily borne by the Muslims if a scheme can be drawn in such

a way that it will substantially benefit the Muslims as well. The following scheme is drawn up to create a Sikh majority state which will at the same time be beneficial to the Muslims.

The Sikh state will take up the present four States as its nucleus. To this will be added the Districts of Hissar, Karnal and Ambala. The population strength of this area will be as follows:

<i>Name</i>	<i>Population</i>	<i>Muslims</i>
Patiala	1,936,295	
Jind	361,812	1,216,495
Nabha	340,044	
Kapurthala	378,380	
Hissar	1,006,709	
Karnal	994,575	858,553
Ambala	847,745	
Total	5,865,560	2,075,048

Now the Sikh population in the Punjab is only 5.1 million and the area demarcated above is out of proportion to their, even, all-India strength. Hence the proposal is to transfer to Ferozepur District and thereby to Pakistan, the western end of the triangular land of the Sikh-States-area, to the west of the line from the central point of the southern boundary of Ludhiana to the meeting point of the Ferozepur and Hissar Districts. The land involved has a population of 565,560. The population of the proposed Sikh state is reduced to 5.3 million a number comparable to the Sikh strength of 5.1 million in the Punjab, and the Muslims number in the area is reduced to 1.85 million. These 1.85 millions of Muslims will be taken over to Pakistan and their transfer charge will be paid by the Pakistan Government; and the corresponding number of the Sikhs will be brought down to the Sikh state from Western Punjab. The transfer cost of the Sikhs will be borne by themselves. The benefit that the Muslims will derive will consist of the accretions to Pakistan of the Districts of Hoshiarpur and Ludhiana, the western part of Kangra to the west of the Kangra bottleneck and the western triangular end of the Sikh States lands. This will [be] appropriate for Pakistan, all the area [being] irrigated by the Sutlej Scheme, while the Sikh state will be dependent on the Jumna Scheme of irrigation. The bone of contention between the Sikhs and Muslims will disappear.

So far as the Sikhs are concerned, they will have a buffer state between Pakistan and Hindustan, for which they may demand and

even secure Dominion status. The Maharaja of Patiala may be given the constitutional kingship of the whole Sikh state, and the three other Sikh chiefs together with the three or four leading members of the Sikh Panth may be made to constitute the Sikh Privy Council.

Hindustan also need not suffer from the creation of the Sikh majority state. The predominantly Hindu Districts of Gurgaon, Delhi, Rohtak and Simla may be put under the metropolitan Delhi Province of Hindustan.

If the Sikh community at once comes forward with such a proposal, the situation can be saved even now. The leadership has to take note of the fact that the problems of the consolidation of the Sikhs and the exchange of populations are policy decisions which can be solved only at high political levels. The slight shifting of the provisional boundary by the Judicial Commission can have no bearing on the future political status of the Sikhs.

A WORD FOR THE SCHEDULED CASTES

The Scheduled Castes occupy peculiar position in Indian society. The MacDonald Award⁷ gave the Scheduled Castes separate communal representation, which had been demanded by [Dr.] Ambedkar and other Scheduled Castes leaders. But this recognition of the independent status of the Scheduled Castes was strongly disapproved of by Mr. Gandhi, who resorted to a fast unto death if the separate representation to them were not annulled. Doctor Ambedkar was persuaded to accept joint representation in exchange for more seats in the Legislatures on a joint representation basis. The consequence of this was most disastrous for the Scheduled Castes. The Scheduled Castes voters were swamped by the Caste Hindu voters in the secondary elections by which members were finally elected, resulting in the election of only Congress nominees. It was quite easy for the Congress to get some of their nominees elected for the panel in the primary elections restricted to Scheduled Caste voters, by winning over some of their voters. If and when Congress failed in the primary elections, they won over some of the panelled members in the secondary elections, with the promise of sure return. The result has been that the Scheduled Caste members that could be elected independently of the Congress came down to next to nothing. Doctor Ambedkar repented bitterly his unwise compromise with Mr. Gandhi in accepting joint system of representation. Dr. Ambedkar and his followers began to agitate to reintroduce communal representation. But the British Government took it as a voluntary compromise, and they shirked off all further responsibilities to safeguard the interests of the Scheduled Castes. Gradually Dr. Ambedkar has also

pulled down, and his statements now a days can hardly be distinguished from those of the Congress leaders. The Scheduled Castes seem to have been thrown to the mercy of their oppressors. The lot of the Scheduled Castes is all the more poignant for the fact that they cannot hope to be led by the same leaders for any length of time. The leaders are easily won over by the Caste Hindus with the allurements of individual social promotion to a somewhat higher level, or by social intimidation.

Being oppressed and treated as base animals for thousands of years by the Caste Hindus, and having the persistent suggestion from them that they were sub-human beings, the Scheduled Castes have got their morale absolutely shattered. Though the British rule of the last century and a half has opened their eyes a little, still the Scheduled Castes masses even now believe that they are rather a type of sub-human beings and the upper Castes are supermen or divine and they are destined to lead and the Scheduled Castes are destined to be led. Over and above this self-inhibition, the Scheduled Castes are divided into many categories of castes which are mainly contestants about their social position rather than cooperants [*sic*]. There does not exist any fellow-feeling among the different castes of the Scheduled Castes. These two causes cut so deep in the system that short of renouncing the Hindu religion there seems to be no way out of their self-inhibition and caste-divisions. This fact lies at the root of the persistent assertions of Dr. Ambedkar that the Scheduled Castes' peoples are not Hindus. But the tragedy of the situation is that not only they are being treated as Hindus but their number is being utilised to make up Hindu majority in the provisional Plan of Partition of India between Hindustan and Pakistan, and to help their Caste Hindu oppressors to establish their own hegemony on the Scheduled Castes together with others. And in this surrender of the Scheduled Castes to Hindus their opinion or consent also has not been sought after.

The British Government may argue that it [*is*] no good seeking the opinion of the Scheduled Castes because they cannot rise above the Caste Hindus and their views will be the replica of those of the Caste Hindus. If this be the case, if Scheduled Castes cannot express their opinions independently, it is all the more reason that they are still in need of special safeguards. They should therefore be excluded from the politically conscious people between whom India is being partitioned in the form of Hindustan and Pakistan. In other words, to determine the non-Muslim majority of an area, the Scheduled Castes should be omitted from the number of the non-Muslims. But at the

same time it should be admitted that a section of the Scheduled Castes people have become politically conscious, and inspite of the joint electorate they have made their existence felt in some areas where they form a substantial percentage of the population. The Scheduled Caste members from Bengal have been participating in the non-Muslim cabinet of Bengal as well as in the Interim Government in the Centre. In Bengal at least, the opinions of the Scheduled Castes deserve to be sought after where they form a substantial part of the population, particularly in Khulna, 24-Parganas, Jalpaiguri, Darjeeling, Birbhum, and the Asansol Sub-division of the Burdwan District.

Taking all points into consideration, it seems eminently just and fair that a plebiscite of the Scheduled Castes people should be taken in all the areas where their decision might change the majority decision of the areas concerned, to join either Hindustan or Pakistan. If the Scheduled Caste votes be a replica of the Caste Hindu votes, the status quo is not altered. But on this ground there is no justification to refuse the Scheduled Castes the exercise of their birth-right of freedom of expression of their opinion on such a vital issue as the partition of their homeland. The issue of the plebiscite of the Scheduled Castes, it should be admitted, might better be decided only at high political levels, but as that has not been done, the Partition Commissions have, in some form or other, to consider the wishes and position of the Scheduled Castes *vis-a-vis* partition. It would therefore be immensely better that the Commissions ask the authorities concerned to hold plebiscites of the Scheduled Castes, at the places mentioned by the Commission, to enable the Commissions to arrive at a more well-informed and enlightened decision.

HILL TRIBES AND PARTITION OF INDIA

The Muslims and Hindus (including Scheduled Castes) are not the only peoples of India, though they are the two major communities and between them constitute the bulk of the Indian population. Of course, there are people of other religious persuasions as well, such as Budhists, Parsees, Jews, Christians, and Sikhs, of whom Christians and Sikhs number only 3 and 5.6 million while the rest are mere handfuls, numbering not more than a few hundred thousands in all. All these minor communities are politically conscious and all of them are grouped together with the Hindus (including Scheduled Castes) under the omnibus title of non-Muslims. Partition of India between Pakistan and Hindustan has been decided on the basis of Muslims and non-Muslims. But outside the pale of Muslims and ubiquitous non-Muslims, there is another group of people termed Hill Tribes. These Hill Tribes are not yet assimilated by any organised religions of the world and

they are still in the primitive stage of civilisation. Moreover they are not politically conscious and they shall have to be under the tutelage of some civilised nation many decades more to attain even the elements of political consciousness. As they are not capable of running even local administration, it is apparent that they cannot be given independence. To grant them independence is tantamount to forsaking them and confirming them in their primitive stage of existence. The British Government should therefore retain the responsibility of the administration of the areas of Hill Tribes in their own hands. But for various reasons the British Government have decided to shirk off this responsibility. In that case, the responsibility of administering them should be handed over to the two succession States in their contiguous areas. But the British Government has decided to hand over the administration of these Hill people only to the Hindustan Government. Has it been fair? The British Government has declared that they will maintain strict impartiality between the Hindus and Muslims and between Pakistan and Hindustan. But has this decision of handing over the administration of all the Hill people to Hindustan and none to Pakistan been impartial?

What can possibly be the cause of this blatant partiality? Is it because the Hindus are more tolerant than the Muslims towards the people committed to their charge? History does not bear testimony to this assumption. One hundred years of Hindu supremacy under the Gupta emperors was sufficient to blot out the Budhists from the face of India, but eight hundred years of Muslim rule did not wean over even one-fourth of the Indian Hindus. Even if it is assumed that the Hill people, when left to the charge of the Muslims, will be converted to Islam or will be gradually assimilated into the Muslim society, will the position of these people be more miserable than when they are placed under the Hindus? In the Hindu society the Hill people will occupy a position below that of the Scheduled Castes. Is that position preferable to that of becoming members of the Muslim brotherhood? What do the British Government and Lord Mountbatten think and say about it?

The real cause of demanding the right to rule over the Hill people and of appropriating their territories by the Hindus and the Congress, lies in the fact that, in these areas, lie vast expanses of uncultivated but cultivable lands as well as big deposits of mineral and power resources. This is the case, for example, with the Province of Assam, the natural hinterland of Eastern Pakistan. In this Province the Hindus and Muslims are practically equal in number; the Hindus numbering 3.5 million and Muslims numbering 3.45 million in 1941

Census. Among the Hindus are to be included a vast number of migratory and ever-floating Hindu labourers from Bihar and other Hindu Provinces working in the tea gardens and factories owned by the Hindu and British capitalists. These labourers work only for short periods, and relays of them are constantly coming and constantly departing. If this non-settled and floating population be omitted from the Hindu number, the Hindus (including the Scheduled Castes and Christians, that is, the entire non-Muslim block) fall below 3.5 million (about 3.1 million). Considering the settled population, Assam is a Muslim majority Province. But by including this migratory floating population, the non-Muslim number is inflated to 4.2 million or 41.6 per cent of the total population of 10.2 million. Even on this basis of calculation, Assam is not a non-Muslim majority Province. The Hill people constitute one-fourth of the total population of Assam (2.5 million) and they can form the majority by combining either with the Hindus or the Muslims. Now, these Hill people are incapable of exploiting the economic resources lying in their territories and cultivating vast expanses of their fallow lands. The policy of the Hindus and of the Congress is more to exclude the Muslims from exploiting these resources and cultivating the fallow lands. It will not be the full truth to suppose that Hindus want these resources to be used or reserved for themselves. Though this is partly true, and the Hindus are exploiting a part of these resources, particularly in the industrial side, still the bulk of mineral and power resources are remaining unutilised and the expanses of uncultivated, but cultivable, lands are lying entirely untouched. The Muslim agriculturalists from the neighbouring districts of Bengal are extremely eager to settle and cultivate these lands, and in the last few decades they settled to some extent in a few of these fallow lands. But their migration has been lately stopped by the Congress Government, and this has been done obviously with the consent or connivance of the British Government, or as the Muslims put it, by the Anglo-Hindu combine. (There is a considerable volume of British capital investment in the tea gardens of Assam and other manufacturing and mining enterprises.) But even the Muslim statement is an under statement of the real situation. Scrambling of clash of interests is the order of the modern materialistic world, and it may be said to be a pardonable offence because it is common. What the Congress Government is doing in Assam, is not the depriving of the Muslims for the benefit of the Hindus, because the resources from which the Muslims are being deprived are not being utilised by the Hindus—they are lying as unexploited as ever. They are simply being kept off from the Muslims.

The Muslims must not be given the opportunity to produce their own food or to earn their own bread. They are to be economically starved out and exterminated.

This inference may sound to be astounding. Can human beings be so unreasoningly and so remorselessly cruel to their own fellow beings? The answer to this question is: Yes, it is not only possible in India but widely practised there and that with the consent or connivance of the British Government of India. In India, the facts have been really stranger than fiction. The density of population in Mymensingh, Rangpur, Bogra, Dacca and Tipperah Districts from which agricultural population was migrating to the fallow lands of Assam is over thousand persons per square mile. At places (say Sonakanda near Narainganj, Bhairab in Kishoreganj, etc.) the density of population is 1500 per square mile. For agricultural areas these densities are unprecedented in world history, and are unparalleled even for predominantly manufacturing countries like England, Belgium and West-Germany. Thus the need of these over-crowded districts, where the population is at least three times the number that economic resources can maintain, to send some of their surplus numbers, is obvious, and it is a question of their life and death in a very realistic sense. But the Congress Hindu Government of Assam should rather keep those fallow lands unused than give those to Muslims and allow them to live. Over and above Muslim agriculturalists who were already settled are being driven out in the most inhuman manner. Their houses either have been gutted by fire or razed to the ground by elephants. Their crops, both harvested and unharvested, have been mown down or scattered by elephants and they have been literally hounded out of their established homes and developed fields. And this is being done when India is suffering from famine and there is a world scarcity of food supplies.

Indians are very sore that European settlers of South Africa discriminate against Indian settlers there and that they are excluded from best residential and business, agricultural and manufacturing quarters. There are, however, two mitigating factors so far as South African white settlers are concerned. First, there is the question of colour. Indians, being coloured people, are discriminated against by the white—the white ruling class. But in Assam there is no question of coloured versus white people—oppressors and oppressed are both chocolate colour. Secondly, the South African whites selfishly appropriate for themselves the best resources and the best areas. But they are not unmeaningly cruel like their Indian Hindu counter-parts who withdraw

from the Muslims the resources which they do neither need nor can use. With such a blatant, deliberate and unmeaning cruelty inflicted on the Muslims, Hindu[s] or the Indian Congress should not have the cheek to protest against the discrimination of the South African whites against Indian settlers.

This brings us to the very core of reason why the Muslims are insistently demanding to have Pakistan—a separate State for themselves. The Caste Hindus are both educated and capital-owning section of the Indian society. They are in monopoly possession of all government services, learned professions, trade and industry of the country. At the end of the 18th century when the British were taking up the Indian administration in their own hands, the Muslims were the top dogs [sic] in the society, today the underdogs. How this revolution in the social scale could take place during the hundred years of British rule in India, is a very revealing study. There is a strongly felt belief, rather conviction, among impartial students of British rule in India that the British rule had a very significant contribution in turning the social scale upside down, and the Muslim allegation against Anglo-Hindu combine can hardly be set aside. Be that as it may, the Caste Hindus are owners of capital and possessors of offices, from where employments are distributed. And of these employments, they will not give a single [job] to any Muslim. In Calcutta, the capital of Bengal, the premier Muslim Province, the Hindus have built up mighty industries, commercial, banking and insurance organisations, bringing into existence the second greatest city of the British Empire. But in all these industries they have been particularly careful not to appoint any Muslims in management, in office or as [a] labourer. In the towns of Bengal, where houses are owned by the Hindus and which are the centres of commerce, industry and service, the Hindus will not let [out] any house to Muslims. 'Muslims can expect to have no quarter from Hindu' is a true Bengali saying, both in the literal and figurative sense. The Caste Hindus have been systematically following, and that very successfully, the policy of keeping the Muslims out of industry, commerce, employment and in short from all means of earning their bread. In industrialised countries of Europe and America, the capitalists are said to be exploiting the labour, in the sense that they themselves are earning fat profits while they are paying very poor wages to the labourers. This is true as regards Indian capitalists who are Hindus and Indian labourers who are also all Hindus. But so far as Muslims are concerned the attitude of the Hindu capitalists is to deprive them completely of any employment and to starve or wipe them out of

existence. This is how they have built up the mighty Hindu City of Calcutta at the centre of the Muslim Province; and this Hindu majority is now being made the basis of partition, to deprive the Muslims of their capital city with all its industries, commerce and capital accumulation.

This remorseless policy also explains why the Hindu Congress is following the dog in the manger policy in Assam, to exclude the Muslim settlers. This also explains why in the tea gardens workers of all grades are Hindus, and why in the coal-fields of Bengal, none but the Hindus are to be seen. This also explains how the Hindus—the followers of non-violent Gandhi-philosophy—could so mercilessly kill unoffending women and children in Bihar [and] throw the scared population back to burning fires from which they were flying, in the most cold-blooded manner. The purpose behind these atrocities is crystal clear. The Muslims are a standing menace to Hindu Caste-feudal system. They are the only people throughout the history who have stubbornly refused to be assimilated into the Hindu body politic. They must therefore be exterminated by forcing them to starvation or by literal murdering. The flight from the Hindus, urged by the instinct of self-preservation, is the movement for Pakistan. Even Mr. Jinnah seems to under-state the Muslim case for Pakistan when he says that Pakistan is necessary to stop the exploitation of 100 millions of Muslims by Hindu capitalists. Even if the Hindu capitalists exploited the Muslims that would have been a great favour done to the Muslims, because that would have meant giving them employment at low wages but keeping them alive any way. As things are, they do not even condescend to exploit the Muslims but only to exterminate them altogether.

A decent British citizen will be very hard put to it to believe that such diabolical pogrom is possible in the modern world and that with the knowledge and connivance of the much advertised, highly enlightened British Indian Government. To liquidate their doubts, I should quote here a few passages from a recently published book entitled *An Australian in India* by no less a person than the Right Hon'ble R. G. Casey, ex-Governor of Bengal:

The Muslim League have worked themselves up into a state of mind that can only be called Hindu-phobia. Not that there is not some justification for this. The Caste Hindus have dealt with the Muslims with the minimum of warmth and generosity—or even fairness. When and where the Hindus have been in the saddle the Muslims have had the rough end of the stick. The Caste Hindus have given the Muslims

little evidence that they believe in a fair deal— and they deny them a fair deal.

It may well be asked at this stage: what is it that is bothering the Muslims? What is the reason for their intensity of feeling towards the Caste Hindus? There must be something of real importance to explain the Hindu-phobia of the Muslims which makes them so passionate and so uncompromising; so determined not to be dominated by the Caste Hindus.

It is essential to answer these legitimate questions, if the present state of high tension in India is to be understood and disaster is to be averted.

I believe that the present state of mind of the Muslims can be analysed into two principle factors—one that can be called the memory of past humiliations and the other the lack of present economic opportunity.

Firstly, it has to be realised that for the last fifty years at least the Caste Hindus have been the haves of India, and the Muslims have been the have-nots. By this I mean that in all intellectual pursuits, in wealth, in education and in the ability to lead reasonably comfortable and sophisticated lives, the Hindus have been on top and the Muslims some distance below....

Notwithstanding their earlier neglect of education, the Muslims are now coming on fast, but they have left their run rather late. By reason of their several generations of modern education and sophistication and participation in business and affairs, the Muslims find the Hindus today firmly esconced in practically all the business activities of India, and Hindu-Muslim feeling is so keen that the Hindu owners and managers of enterprises are careful to employ only Hindus so that the opportunities for employment of Muslims are limited. To a very large extent throughout India the mills, factories, workshops and merchant houses are Hindu (or at least non-Muslim) owned and controlled. And it is not too much to say, as regards employment in the great majority of Hindu controlled business, that no Muslim need to apply....

It is easy to understand the resentment that this creates and to appreciate the determination of the Muslims to get a place in the sun and a fair economic chance for themselves and their children. In other words, I believe that the principle present-day motive behind Pakistan is economic, the urge on the part of the Muslims (particularly in the cities) to advance themselves economically.

It should be sufficiently clear from the above that the policy of the Hindu capital and management is to keep the Muslims out of the towns and out of all modern business by refusing them any employments whatsoever. This is why the Muslims do not figure in industries, commerce, collieries, tea gardens, banking, insurance, etc. By refusing any employments in all modern industries and businesses,

they are starving out and exterminating the surplus Muslim population that might tend to grow. Pakistan is a scheme to carve out the Muslim areas from Hindustan to enable the Muslims to develop their own trade [and] industry, own agriculture and mining, and keep their population from starvation and death. But in the provisional Partition Scheme, the British Government has carved out a Pakistan from which its industrial towns, collieries, mines, tea gardens, fallow lands and all economic resources in general have been withdrawn. It has been really a Hamlet without the Prince of Denmark. All the power resources of Pakistan—Raniganj coalfields, Assam oil-mines [*sic*], Teesta and Brahmaputra currents have been kept out of Pakistan. The tea gardens of Assam, Jalpaiguri and Darjeeling have been appropriated by Hindustan. Calcutta and its industrial suburbs and its port facilities, with all its colossal wealth drained for over two centuries from the half-starved Muslim millions of Bengal, are to go to Hindustan. Has the British Government been impartial between Hindus and Muslims in this division of wealth? Have they not given Pakistan by depriving the Muslims of the very things for which they were clamouring for Pakistan; and were being killed in millions by the Hindus for their clamouring?

Of course, the partition scheme is not the final settlement. The Boundary Commissions that have been set up will also take into consideration, other factors which may include considerations of these economic factors as well. But will the Boundary Commissions be courageous enough to allot the oil-mines and tea gardens of Assam, the tea gardens of Jalpaiguri and Darjeeling, the coal-mines of Raniganj and industries of Calcutta, to Pakistan? If the Muslims are deprived of these resources they are to choose between the two alternatives. They may either remain suffocated within their circumscribed territories and slowly but surely starve out of existence; or they may break the shackles that separate them from their means of living and take the risk of either food or destruction. No one can say which course they will choose and how soon.

PAKISTAN AND ITS CORRIDOR

Mr. Jinnah wants a corridor between Eastern and Western Pakistan but Mr. Nehru says "no". The British Government is absolutely mum on this point. But the Anglo-Hindu entente, that is not willing to concede Pakistan a population even equal to the number of the Muslim population of India, that has shorn Pakistan of all its sources of wealth and means of communication and has thereby made it absolutely moth-eaten and truncated, is not likely even to entertain the idea of giving a corridor to connect

the two wings of Pakistan. It is very unlikely whether even a regular air service will be allowed to be run between the two wings of Pakistan over the Hindustan territories. Hindustan rail and air services may be offered to Pakistan, only at prohibitive terms, and that also to be discontinued on the flimsy pretexts.

Pakistan has been granted two disjointed slabs of territories and it has got one Central Government. It must have therefore some secure means of communication between the two. Sea-route seems to be the only means. At least twelve modern liners of the biggest size must ply between Chittagong and Karachi, one ship leaving each of these ports every day, and ten ships are always to be on the high seas. Over and above, there should be at least twelve more cargo ships or tramps to carry goods between the two ports. But this life-line of Pakistan requires coaling, halting and repair stations, both in the Arabian Sea as well as in the Bay of Bengal. For this reason, the proposal is that a district of 1.5 million should be carved out on the Malabar Sea Coast, where the Moplas will be allowed to concentrate. The area carved out should be the habitation of 1.5 millions of people on the basis of the existing population. These 1.5 millions of people will be adjusted in the total population of Pakistan, that is it will be a deduction from the 90 millions of residents in the other parts of Pakistan. The Malabar District will then be combined with the Laccadive and Maladdive groups of Islands to form a province of Pakistan. This province will provide coaling, repairing and security to the Pakistan ships in the Arabian Sea. In the Bay of Bengal, similar facilities will be provided by Andaman and Nicobar groups of islands, which may be grouped together either as a province of Pakistan or as a part of Eastern Bengal. These groups of islands have scanty population who cannot, by any stretch of imagination, be considered as non-Muslims in the Indian sense of the term. Moreover these islands, to all intents and purposes, are uninhabited. These may also provide a little space to a few of the surplus population of Muslim Bengal. But in the provisional Plan these islands also have been included in Hindustan. One is inclined to ask, why this step-motherly attitude—everything to Hindustan and nothing to Pakistan? Can the terms of reference of the Indian Boundary Commissions be interpreted widely enough to make allotment of these islands to Pakistan or Hindustan, an issue? If not what is the provision contemplated by the British Government to maintain the life between the two wings of Pakistan?

If Travancore can emerge out of this political cauldron as an independent State, Trivendrum may serve as a port of call for the Pakistan ships. But on the eastern coast of India, Pakistan ships will have not a single port

of call, if they are deprived of Andaman and Nicobar Islands. There may, however, be one probability. If Hyderabad can emerge out of this political turmoil as an independent State, it will certainly need a port on the Karnatic Coast. Hyderabad has got back the Province of Berar in *de jure* form. Now administration has got to be transferred to the Nizam. But the Congress is extremely unwilling to return Berar. Nizam, however, is not a meek lamb like the Muslims of other parts of India. He has a fully equipped army of two hundred years tradition. With Nizam's army, money and territories, the British Empire was built in India. History cannot be easily brushed aside. One cannot think that Britain can possibly be so ungrateful as to side with Hindustan in any clash of arms with the Nizam. If a full-fledged war has to be avoided, Berar has to come back to Nizam.

Moreover, Karnatic Coast was also Nizam's Dominion, given voluntarily by the Nizam to the *Koompanny Bahador* in a regular *Firman*. When Britain is returning that territory to the Indian succession State or States, the Nizam will naturally be a claimant to that territory. In the rivalry between democracy and monarchy to be the succession authority of the Karnatic Coast, Nizam's claim cannot easily be brushed aside.

The upshot of the whole controversy may be a compromise resulting in the ceding of coastal territories between the mouths of the Rivers Kistna and Godavari to the Nizam and the latter's renouncing of the sovereignty over Berar. In that case Masulipatam will be the port of Hyderabad and that may be used as the port of call by the Pakistan ships. But this possibility does not detract from the inevitable necessity of Pakistan for the Andaman and Nicobar Islands in the Bay of Bengal.

CONCLUDING REMARKS

When the provisional Plan of Partition Scheme was offered by Lord Mountbatten to the Congress and the League, the Congress accepted it because it was their own declaration that they would not coerce any unwilling part of the country to join the Indian Union. But the Scheme truncated Pakistan to such an extent that the Congress leaders expressed the opinion that the League had been trapped in its own snare and could not accept it. Mr. Jinnah also could not accept the Scheme on the spot. He had to persuade his Council in a secret session to accept the Scheme as a compromise but not as a settlement. To put it squarely, the Scheme has been accepted as the first instalment, rather as the rallying ground of the Muslims in their struggle for Pakistan of their own definition. The British Government have been rather pleasantly surprised at the meek acceptance of the Scheme by the League and the talkativeness of the Congress. They are now thinking of further truncating Pakistan to grant more Muslim majority lands in the Punjab to placate the Congress and the Sikhs on

the ground of Sikh holy lands and shrines. It seems that Britain is trying to create a Pakistan State without any territories at all. The British Government is really showing an extraordinary lack of understanding and inability to read the writings on the wall. It is essential for the British Government, at this crucial moment of 'war or peace' in India, to maintain its own declared policy of impartially keeping the scale of justice between the League and the Congress absolutely even and to fix the Boundary Line between Pakistan and Hindustan in such a way as to make their populations equal to the total Muslim and the Hindu populations of India. Will the British Government prove equal to its protestations of impartiality? Slightest deviation from that straight path will not only thrust India into an immediate civil war but it may also bring the whole of the British Empire into tatters.

ALI MUHAMMAD KHAN
President,
Muslim League Branch,
G[rea]t Britain

¹Enclosure 1 to No. 1.

²See No. 109, Vol. II, 190-2. Also see Appendix VIII. 7, Vol. II, 903-4.

³No. 1, Vol. II, 1-6.

⁴Not available in QAP.

⁵Not printed.

⁶See map at end of the Volume.

⁷Also known as Communal Award, given in 1932, by the British Government under the premiership of Ramsay MacDonald. It was subsequently modified by the Poona Pact and formally recognized by the British Government. Also see Enclosure to No. 376, note 2, Vol. I, Part I, 672 and No. 437, note 5, *ibid.*, 780.

217

Weekly Confidential Diary No. 28 for the week ending 18.7.1947

F. 4/55-61

No. 1857-58/SB

PESHAWAR,
21 July 1947

I. GENERAL

The referendum has passed off without any serious incident.

II. CONGRESS

- i. Posters, entitled "Would Pakistan be governed by Islamic Law[?]", published by the Pathanistan Publicity Board, were distributed

- in Peshawar City on 15.7.1947, exhorting people not to accept the dictatorship of Mr. Jinnah and attain Pathanistan at all costs. In another poster, issued the same day by the same source, the Khaksars were requested to join the Zalmai Pakhtun Organisation.
- ii. Abdul Ghaffar Khan met the Pir Sahib of Manki in the Shahi Mehman Khana Mosque, near the Museum, at about 19.30 hours on 15.7.1947.
 - iii. A meeting, attended by about 100 persons, was held at Akora on the evening of 15.7.1947, under the presidency of Abdul Ghafoor, tailor master of Akora. *Abdul Karim*¹ shopkeeper of Jahangira, exhorted the audience to beat the Khans if they give a slap and go to jail where they would, he said, be provided with better facilities than they had at their houses. The Khans, he remarked, were instrumental in the maltreatment meted out to them by the Police in the past and if they (the Khans) again came into power the same trouble would revive.
 - iv. A poster, written by some Redshirts, was found pasted on the shop of Ghulam Abbas, *dhobi*, in Nowshera Town on 14.7.1947 criticising the shopkeepers for taking an active part in making the Referendum a success and remarking that the *dhobistan* and *Bacha Sagai* flags, which had come to their notice, could not subdue them.
 - v. On 16.7.1947, Sher Mulla of Banda Nabi, collected some 20 armed Redshirts from Khashmaqam, Tarkha and Kurvi villages, in the Nowshera Sub-Division and fired at a Muslim League party. The police rushed to the spot and arrested 16 accused amongst whom 12 had fire-arms with them. A case has been registered and investigation continues. The accused had also fired at the police while they were engaged in making arrests.

III. MUSLIM LEAGUE

- i. A secret meeting of the Female Muslim League, attended by about 45 members, was held at the residence of Mumtaz Majid in Mohallah Asia, Peshawar City, on the evening of 12.7.1947. Begum Ishaq of Bombay spoke against extravagance and advised the audience to help the poor and contribute money to the Pakistan Fund. Some ladies were then detailed for referendum work in other districts.
- ii. About 24 and 22 National Guards in plain clothes, with a flag, went round the Peshawar City bazars in a file on the evenings of

- 13.7.1947 and 14.7.1947, respectively. Hussain of Peshawar was commanding them.
- iii. On 14.7.1947, the sister of Mushtaq Ahmad of Peshawar Cantt. went to the houses of non-Muslims requesting them to vote for Pakistan.
 - iv. A meeting, attended by about 400 people, was held in village Mattani on the forenoon of 10.7.1947. Pir Sahib of Manki, Sayed Wajid Ali Shah of the Punjab and Maulvi Shakirullah of Nowshera, who were prominent in the meeting were, on arrival, saluted with a volley of shots fired in the air. The *Pir Sahib of Manki* and *Maulvi Shakirullah* in brief speeches, thanked the audience for their sacrifices in the last civil disobedience movement and appreciated their efforts which had resulted in the success of the referendum.
 - v. Posters in Urdu, entitled the *Pathanistani Lie*, issued over the signature of Sayed Mazhar Gilani, Secretary, Muslim League, Peshawar City, appeared in Peshawar on 17.7.1947, criticising the false charges framed against Mr. Jinnah by the Pathanistan Publicity Board and informing the Muslims that there would be Islamic law in Pakistan.

IV. MUSLIM AFFAIRS

- i. A poster in Urdu, over the signature of "Citizen", was seen placarded [sic] on the board near the Hastings Memorial in Peshawar City on 14.7.1947, asking people to boycott the Modern Textile Hosiery Mill which was a Hindu firm. It further criticised the Hon'ble Qazi Ataullah Khan for having taken 50% shares in the firm.
- ii. A poster, entitled Appeal, appeared in Peshawar City on 16.7.1947, over the signature of *Maulana Abdul Wadud Sarhaddi* requesting Muslims to send their representatives to the Pakistan Constituent Assembly to be held at Karachi in the middle of August and demand the enforcement of Shariat Law in Pakistan failing which a struggle for the attainment of true *Islamistan* be launched.

V. HINDU AFFAIRS

The R.S.S.Sangh held their usual exercises in Peshawar City and Cantt. during the week.

VI. REFERENDUM

The Referendum passed off peacefully with the exception of a few minor incidents given below. Congress representatives attended all polling stations for checking bogus voters.

PESHAWAR CITY AND CANTT.

On 8.7.1947, railway shunting Jamadar Gul Afzal stopped people in the Mission College from casting their votes. Moh[amma]d Shafi of Peshawar Cantt. reported the matter to the Station Master, Peshawar Cantt. The *Jamadar* went away himself at about 12.00 hours. Early in the morning, the same day, about 14 Redshirts were seen using filthy language against the Leaguers in Namak Mandi, Peshawar City. Wali Moh[amma]d, Redshirts' General, objected to a vote which was later on proved genuine. At Bhana Mari three Redshirts, who did not poll their votes and brought the ballot papers out, were handed over to the military. Ten persons were challaned for impersonation.

On 9.7.1947, a woman drank water and fainted in the Lady Griffith School. She was immediately taken to the hospital as it was given out that the drinking water had been poisoned. It was discovered that the woman had fainted owing to heat. Moh[amma]d Ayub, Congressite of Peshawar Cantt., had an altercation with H. C. Sardar Bahadur of Peshawar Cantt., in the Frontier High School.

SADAR SUB-DIVISION

During polling at Mattani on 8.7.1947, Muzaffar Khan of Jani Garhi (Congressite) injured Usman of the village (Leaguer) with a stone. The offender was challaned u/s 151/107 Cr[iminal] P[rocedure] C[ode]

NOWSHERA SUB-DIVISION

On 11.7.1947, Ghulam Nabi of Kheshki Bala reported at P[olice] S[tation] Nowshera Kalan that Sher Ali Khan and Ajun Khan of the village were intimidating the people to vote for Pakistan. The A. C. and the D.S.P. reached the spot immediately but found the allegation baseless. At the Pabbi Dak Bungalow, Baz Moh[amma]d (Redshirts' General) quarrelled with a Muslim Leaguer but the police intervened and averted trouble. At Akbarpura some Congressites attempted to stop people from polling votes but the police patrol prevented them from doing so and arrested one Bahadur of village Kurvi carrying the shotgun of another man. He was arrested under Section 19 Arms Act. Some Congressmen of village Mian Isa threatened Leaguers not to poll votes. Some Congressites hurled stones at a Muslim League lorry near village Kheshki but they dispersed on the arrival of the striking force. Some Redshirts fired to intimidate voters at the Akora Ferry and the Bazar.

On 12.7.1947, a quarrel broke out between Noor Moh[amma]d Shah, Leaguer, and Ghazi Khan, Redshirt, at the Pabbi School Polling Station but the police intervened and averted trouble. At Dag Ismail Khel, the

Congress and the League Agents exchanged some hot words at which the former walked out in protest.

CHARSADDA SUB-DIVISION

At the Tangi Girls School, Moh[amma]d Ali Khan, Redshirt, complained that womenfolk of the Khans had polled their votes through their maidservants but the presiding officer denied the charge. In violation of the order u/s 144 Cr. P. C. some persons were seen carrying arms in the Charsadda Tehsil Bazar. The police arrested one person with an unlicensed .38 bore revolver and 2 persons with licensed guns. Cases u/s 19 A[rms] A[ct] and 188 I[ndian] P[enal] C[ode] were registered at the Police Station.

Some boys pelted stones at [*sic*] lorries carrying voters to the Polling Station at Hari Chand. At a distance of about 2 furlongs from the Polling Station at Shabkaddar one Awal Sher of Kafoor Dhari, a Leaguer in plain clothes, eased himself in a field near the roadside. One Gul, a Redshirt of Shabkaddar in plain clothes, objected to it and asked Awal Sher to remove it but the latter refused. An altercation took place between them and Gul stabbed Awal Sher on the right thigh. The police chased the culprit and arrested him at a distance of about 500 yards. A case under Section 324 I.P.C. has been registered at P. S. Batagram.

Some boys assembled at the roof of the Polling Station at the Charsadda old school building with stones but they were removed before they could do any mischief. Some men were also seen in a *balakhana* but they too were removed.

At Nisatta on 14.7.1947, both the parties claimed a voter but the police intervened and brought the situation under control.

At Rajjar on 13.7.1947, the Redshirts were reported to be obstructing the Leaguers from going to the Polling Station but the arrival of a police party had had a salutary effect.

At the Ziam Rest House, Fazal Haq of Behram Dheri was arrested for taking away his ballot paper. A case u/s 171 I.P.C. had been registered. The Muslim Leaguers were seen with drums in the vicinity of the Polling Station but they were shunted away. The Redshirts wished to bring drums but they were prevented from doing so.

At Khan Mahi Police Station on 13.7.1947, Mir Hassan and Faizullah of Munaf Killi brought their ballot papers but swallowed them when they were caught. On 14.7.1947, Habib Khan of Mian Nur Kali was caught when he brought out his ballot paper. The Presiding Officer cancelled the paper and allowed the man to go away.

At village Karaki, Sukar and Katozai, etc., the people objected to the Leaguers travelling on lorry roofs.

On 16.7.1947, some persons were arrested by the police for bringing arms in the Charsadda Bazar.

On 16.7.1947, the Redshirts of Kotak, P. S. Batagram, decided to boycott the Leaguers by not attending their death and marriage ceremonies. A similar boycott has been decided upon in Charsadda and other villages.

[SIGNATURE ILLEGIBLE]
for Senior Supdt. of Police, Peshawar

Copy to:

1. Deputy Commissioner, Peshawar
2. A.I.G., C.I.D., N.W.F. Province

¹Underlined here and subsequently in the original.

218

Rajkumari Amrit Kaur to M. A. Jinnah

F. 181/8-11

1 AURANGZEB ROAD, NEW DELHI,
22 July 1947

Dear Mr. Jinnah,

I have received a sad letter from a friend of mine in Karachi in which he says "Many bungalows have been requisitioned by the Government including all my bungalows. As yet I have got no alternative accommodation. I do not know where my children and I are going. I feel so despondent, that I cannot write more". Mr. Sahijram Motiram is a J. P.¹ and a good man. He is well-known to Sir Ghulam Hussain Hidayatullah.² You will agree that it is hard for a man to be homeless in his own home town. May not he be allowed to keep one of his houses for his own use? It is this kind of thing which makes members of the minorities panicky and unhappy and these are things which need not and must not be.

I shall be most grateful if something could be done for Mr. Sahijram. He is not a member of any political party. Since his wife's death some years ago he is more or less a recluse and lives only for his children. He is a shrewd businessman and could be helpful if his services were needed in his own domain. In any event he is a most peaceful and law abiding person.

With apologies for troubling you and hoping you will try to give my friend the redress he needs

Yours sincerely,
AMRIT KAUR

¹Justice of the Peace.

²Premier, Sind.

219

G. M. Kelly¹ to M.A. Jinnah

F. 1013/69

NEW DELHI BUREAU,
THE ASSOCIATED PRESS,
19 NARENDRA PLACE, PARLIAMENT STREET,
[NEW DELHI],
22 July 1947

Dear Mr. Jinnah,

As successor to Mr. Preston Grover as Chief of Bureau of the Associated Press, may I take this occasion to extend my greetings and well wishes?

I would like to do this personally, for myself and on behalf of Mr. Kent Cooper of New York, Executive Director of the Associated Press.

I previously told your Secretary that I would send with this letter the enclosed list of questions which I hope you will be kind enough to answer. I believe the world's press would appreciate at this time, before your departure for Karachi, the answers to questions I have submitted. The newspapers have followed closely the Muslim League's case and the granting of the Pakistan demand, and want to know what are your plans. I say this from knowledge derived from correspondence with many of them.

Very sincerely yours,
G. M. KELLY

¹Letter was typed on the letterhead of the Associated Press giving the address of General Office, New York City, and of India Headquarters as G.P.O. Box 1268, Bombay.

*Enclosure to No. 219**F.1013/70*

News interview questions submitted by G. M. Kelly, Chief of the India Service of the Associated Press of America, to Mr. M. A. Jinnah, on July 22, 1947.

1. Will you describe the foreign policy you desire to see Pakistan follow?
2. Are any discussions under way or scheduled with Foreign Governments or their representatives for an exchange of diplomatic representatives? If so, would you describe these discussions? Have there been discussions with representatives of the United States and/or Russia?
3. Is it accurate to state that Pakistan, with its large so-called 'cash crops' in agriculture, is in a most favourable position to establish a flourishing foreign trade which lead to industrial development?
4. Domestically, do you believe Pakistan should strive for a position as a great industrial nation, or do you believe her future lies in an economy based upon her rich agricultural resources more than upon industrial development? Why?
5. You have already told me in an interview¹ that you desire the Government of Pakistan to be a democratic Government. Will you now give me further details of this—do you desire to see your Government modelled in any degree along the lines of that of the United States, Britain or some other country giving representative Government to its people?
6. As you no doubt are aware, certain sections of the press in India have predicted or suggested that you may set yourself up as the dictator of Pakistan. Do you care to give a description of your ambitions for representative Government in Pakistan which, in effect, would reply to those remarks. (As you undoubtedly know, the Associated Press of America never has attributed to you any dictatorial ambitions.)

¹In a press conference held on 13 July 1947, Jinnah spelled out that Pakistan would be a democratic State. See the *Pakistan Times*, 15 July 1947.

220

*Note by A. P. Low on Recent Developments in the Afghan
Claim on the North-West Frontier*

F. 494/46-8

22 July 1947

Although the Anglo-Afghan Treaty of 1921 reaffirms the boundary of 1893,¹ and binds each party to respect the "internal and external independence" of the other; the Afghan Government have, from time to time in the last few years, shown an interest in the future of the Pathan areas on the Indian side of the line in the event of the termination of the British connection with India. Their approaches have varied from the informal suggestion of irredentist claims to general hopes of continued co-operation. In the early stages, when the matter was confined to informal conversations, the tendency of the replies given was to ignore any suggestion of territorial changes and to point out that there was no intention that any constitutional changes in India would effect the Treaty position.² Until recently, the Afghans showed no disposition to press the question.

The recent advance in the pace of constitutional change in India has, however, brought the Afghans into the open. The statement of June 3rd³ was made the occasion for a press and radio campaign of some violence in Kabul;⁴ the line taken being that the Pathans of the N. W. Frontier should be allowed to choose either to unite with Afghanistan or to form an independent State, instead of being forced to choose between the two new Dominions.⁵ The matter was raised by the Afghan Foreign Minister⁶ with H. M.'s Minister in Kabul⁷ and simultaneous approaches were made by the Afghan Minister in Nanking,⁸ to the Indian Ambassador there⁹ and by the Afghan Minister in London¹⁰ to the Foreign Office. In these approaches, unlike the Kabul press campaign, no specific territorial claim was advanced, but the rights of the Pathans to choose their own destiny was stressed and supported on historical and ideological grounds.¹¹ In a further interview in Kabul, the Afghans asked to be allowed to send a Mission¹² for informal talks with the Viceroy and political leaders in India.

The matter having thus been formally raised was the subject of discussions between Delhi and London, which showed the complete unanimity. As a result, replies were delivered both in Kabul and London on 4th July¹³ couched in friendly terms but making it clear that it

was felt that the Frontier Referendum was the concern of India alone, and that no useful purpose would be served by the proposed Mission.

Meanwhile, on 3rd July, Sardar Faiz Muhammad Khan, the Afghan Ambassador at Ankara delivered a short speech at Jamrud, on his way through the Khyber Pass, stating that Afghanistan claimed all land up to the Jhelum.¹⁴ A strong protest against this breach of diplomatic etiquette was immediately delivered in Kabul.

At the suggestion of the Government of India, an approach was made by H.M.G. to the Government of U.S.A.,¹⁵ suggesting that they might wish, in the interest of the preservation of peace in the area, to advise the Afghans not to press their claim. It is understood that, beyond making enquiries, they have not yet taken any action in the matter.

Early in July, before the reply was delivered, an article on the situation appeared in the London press and was repeated next day in the *Statesman*,¹⁶ together with excerpts from a Russian journal;¹⁷ the whole suggesting Russian influence. On the following day, all leading Indian papers carried the story, and followed it with leaders condemning the Afghan proposal. The organs of both the leading political parties adopted the same attitude in the matter; a united front which may not have been without effect when the papers reached Kabul. Brief reference was also made on the radio, by both the B.B.C. and A.I.R. These denied the suggestion contained in the original Reuter release,¹⁸ that the *démarche* had been suggested by the Russians. The broadcasts were naturally heard in Kabul before the formal replies had been received, and the mere suggestion that there might have been Russian influence, even made in negative form, caused much perturbation.

The present visit of H. H. Sardar Shah Mahmud, the Afghan Prime Minister, to India,¹⁹ is not directly connected with the agitation. His year as Prime Minister has not been marked by any conspicuous success and it was expected that, on the return of his brother, Sardar Hasham Khan, the late Prime Minister, from America, a change would be made. These expectations have been realised; he is handing over to a third brother Sardar Shah Wali Khan, and going to America to see his son. It was suggested by H. M. Minister in Kabul that he should visit Delhi for informal discussions. The Government of India, supported by H. M. G. have refused²⁰ to consider this as a formal visit²¹ to discuss the situation fearing that this might give a false impression in view of the earlier refusal to entertain a Mission. At the same time, it is clear that provided his presence in Delhi is regarded as a natural incident of his journey to America, discussions with H. E. and the political leaders should have a good effect.

The latest report from Kabul indicates that the press and radio campaign in Kabul has almost entirely ceased since July 15th.²² It is to be hoped that the movement may subside with no ill-effects. Upto date it has had no noticeable success in the tribal areas. Its chief support in India lies in the attitude of Abdul Ghaffar Khan whose propaganda for 'Pathanistan' coincides closely with the Afghan claim.²³

A. P. LOW²⁴

²²See No. 310, note 6, Vol. II, 589.

²³See No. 63 and Appendix IV.20. Appendix IV contains additional information on this issue.

²⁴No. 1, Vol. II, 1-6.

²⁵See No. 75 and Appendix IV.3 and IV. 12.

²⁶See Appendix V.8, Vol. II, 864-5. Also see Appendix IV. 5, para 4, and IV. 10.

²⁷Mirza Ali Muhammad Khan.

²⁸Giles Squire.

²⁹Sardar Tarzi.

³⁰K.P.S. Menon.

³¹Sardar Mohammad Naim.

³²See Appendix IV.3.

³³See No. 288, Vol. II, 554. Also see Appendix IV. 8.

³⁴For background to the British reply to the Afghan Government, see Appendix IV. 15 and IV. 18.

³⁵See Nos. 41, 50, 74 and 91.

³⁶See Appendix IV. 9, para 5.

³⁷ & ³⁸Not available in QAP.

³⁹The Afghan Prime Minister had originally intended going to Karachi via Lahore *en route* to USA but Squire urged him to re-route his journey via Delhi where he could see Jinnah regarding "autonomy of North-West Frontier Province within Pakistan orbit". See Appendix IV.24, paras 2 & 3.

⁴⁰See Appendix IV.25.

⁴¹Eventually the Afghan Prime Minister passed through Delhi on 24 July without stopping and did not see Jinnah. See Appendix IV.27, note 7.

⁴²See Appendix IV.24, note 4.

⁴³Rob Lockhart believed that in their demand for Pathanistan, the Congress did not seriously contemplate "an independent Pathan State" but a Province with "complete provincial autonomy". On the other hand, Squire held the view that there was collusion between the Afghan Government and the Congress Party for an independent Pathanistan. See Appendix IV. 19, para 3 (ii) (a). Also see No. 321, TP, XII, 488.

⁴⁴Probably an officer of the External Affairs Department at New Delhi.

221

*Soedarsono to M. A. Jinnah**F. 479/6*

CONSTRUCTION HOUSE,
NEW DELHI,
22 July 1947

Dear Sir,

Herewith I take the liberty of sending you a set of copies of documents and statements¹ concerning the latest course of events in Indonesia.

I am, dear Sir,

Yours very truly,

SOEDARSONO

*Representative of the Indonesian
Republican Government*

¹Enclosed was issue No. 7 of *Merdeka* of 18 July 1947, published by Indonesian Information Service, Delhi, containing articles on: We give more concessions and Dutch want more and more; If there is war, the Dutch to be blamed; Withdrawal of Dutch soldiers sole guarantee of peace and order; Memorandum (with 5 Enclosures) for the Republican delegates and reply to the Commission-General (negotiating interim arrangements with Indonesians for the formation of United States of Indonesia, which emerged in January 1949); letter dated 20 and 21 June 1947 of the Chairman of Commission-General; Sjahriar's Radio Speech of 20 June; the Netherlands Government's *aide memoire* and its reply; American *aide memoire* and Republican Note of 8 July; and a copy of Linggadjati Agreement of 25 March 1947 (incomplete). See F. 1013/32-68, QAP. Not printed.

222

*Rusi Mistri to M. A. Jinnah**F. 162/327-8*130 WORLI, BOMBAY,
23 July 1947

Dear Mr. Jinnah,

I write to congratulate you on your political success and as a supporter of your Party, I feel very proud and happy to have a leader of your calibre, whose sincerity and strategy has no parallel in any history. You have not only succeeded in doing good to the Muslims but to all exploited ones in general—that is where I come in. I have been a supporter of your League since I became politically conscious some four years back. Although a non-Muslim, I have been openly associating with various movements for the welfare of Muslims, both social and political and did all that was within my power without any selfish aim. In the last four years I have been fortunate enough to expend over a quarter million rupees towards various Muslim causes. My open association with the Muslims did arouse Congress anger whereby I suffered in business from the tactics of Congress capitalists. I have lost a bit but feel I won a lot as the future for me seems to be much brighter than what it would have been.

You will be glad to know that I have succeeded in unloading my controlling interest in all my fourteen concerns in Hindustan thereby enabling me to move down to Karachi with all my experience to industrialise Pakistan. I am not an industrialist of notorious capitalist class.

My industrialisation does not mean fortune for me and bare living to workers. I wish to place my various industrialisation and economic schemes before you and place my services at the disposal of Pakistan Government free of cost. I shall seek an interview with you on my return from abroad.

Presently I am going to France and America for negotiating manufacturing rights and licences for the manufacture of aircraft, arms, and agricultural implements in Pakistan. The Ruler of Bhopal has also entrusted me some work of importance to Pakistan to be fulfilled in France and America. I hope to be back by August 10th from which date my Headquarters will be at Karachi where I wish to start an Air Training Centre (non-profit making institution) for training pilots and

other aviation personnel for Pakistan. I shall personally donate some money and aircraft. I have already asked Mr. M. H. Gazdar to move the Sind Government.

Before I close let me say "Congratulations and good luck once again".

"Long live Pakistan"!

Yours very truly,
RUSI MISTRI

223

M. Hassan to K. H. Khurshid

F. 861/115-22

INDIAN GOVERNMENT TRADE COMMISSIONER FOR IRAN,
TEHRAN,
23 July 1947

My dear Khurshid,

I hope you will remember that on or about the 15th of May last, the Quaid-i-Azam (May God grant him a long and prosperous life!) honoured me by granting me an interview at his residence in New Delhi. The interview was arranged through the good offices of Mr. Mumtaz Hasan¹ and yourself. At the end of it I informed you that the Quaid-i-Azam had been pleased to entrust me with the job of getting for him four pieces of good Persian carpets of various sizes (18' x 12'; 17' x 15'; 15' x 12'; and 16' x 12') and designs. I was to have written to you on the subject after completing my inquiries over here.

Unfortunately I could not undertake the job until a few days ago. Immediately on return to Tehran on the 20th June, I had to rush off to Beirut to inquire about the health of my two brothers who were involved in an air accident while proceeding to the U. S. A. By the grace of God, they had a miraculous escape and are now making satisfactory progress in the American University Hospital at Beirut. Except burns on the face and hands, they had no other injuries. I returned from Beirut ten days ago and am writing to you now after making the necessary investigations about the carpets.

I did not think it advisable to address this letter direct to the Quaid-i-Azam, as I know that his time is so precious and his attention is engaged upon more important and exacting matters. But I am sure you would be able to discuss this matter with him at a suitable

moment and let me know his orders at the earliest opportunity. I shall be grateful if you would, first of all, convey to the Saviour of Muslim India, my heartfelt congratulations on the establishment of Pakistan. Though rather belated, owing to unavoidable circumstances, these congratulations are nonetheless sincere. Please also inform him that during my sojourn in the Lebanon and Syria and in Baghdad on the return journey, I had ample opportunity of testing the reactions of our co-religionists of these countries. They are extremely pleased at the establishment of Pakistan and look forward to having much closer association with it in the near future. Despite the mischief-making propensities of Hindu businessmen, long established in these countries, the mask has been torn off and the true realities of the Indian situation are coming to light. As regards Persia, I am glad to notice that generally the reception of Pakistan has been very favourable indeed. Official and non-official reactions are extremely encouraging. There are a few mischief-makers, probably in the fee of the Hindu capitalists, who have started writing scurrilous articles. But on the whole, the tenor of the press has been exceedingly favourable and encouraging. I am doing my best to remove any misunderstanding that might be caused by such tendentious articles. I am sending copies of the newspaper run by a gentleman of the name of Saif-i-Azad to Mr. Mumtaz Hasan. This grandee was imprisoned in India during the war and when in jail had the opportunity of getting to know a number of top-ranking Congressmen of Bombay. They write letters to him and he publishes them in his magazine. My enquiries reveal that he is [a] turncoat and is not an influential person by any means. Still, a snake is [a] snake and one must render it innocuous.

I am afraid I have digressed from the main subject, i.e. carpets and I beg to be excused for it. Owing to the high cost of living, like most other indigenous goods, carpets are also extremely expensive. The cost of production has increased enormously during the war and it looks as if things will not return to normal for a very long time to come. Prices of carpets vary according to the design and quality and the business methods of individual carpet merchants. Instead of buying from private dealers, I am of the considered opinion that the best place to buy them from is the "Shirkat-i-Farsh-i-Iran". It is a semi-government institution run on very sound lines and has the best carpets [from] all parts of the country. The weaving and the materials used are excellent. Prices charged are higher than those of the *bazaar* but the carpets are much superior and of better quality and one has more satisfaction. I therefore, recommend that we should buy from the

"Shirkat-i-Farsh". I give below their rates per square metre in respect of carpets of three very important weaving centres:

Tabriz	Best quality	Rs. 500	per square metre
Kerman	Best quality	Rs. 180/200	per square metre
Isfahan	Best quality	Rs. 300/350	per square metre

I shall be grateful if you would let me know by return post whether I should go ahead or not. I do not recommend carpets of other weaving centres. I have consulted my friends and some experts also and they are of the view that the carpets of the above-mentioned places are the best in Iran. As regards designs, the Quaid-i-Azam showed me some carpets of his own and I shall do my best to choose patterns that approximate his own favourites [?]. If he has any particular fancies, you might kindly let me know. Regarding sizes also, please make sure that they are not different from the ones recorded above. I do not think I have made a mistake but it is good to check up again. Any other instructions that the Quaid-i-Azam has, may also kindly be communicated urgently. As my nephews are spending their vacation with me and would be returning to India via Zahidan and Quetta in early September, it would be a safe and sure method of arranging delivery through them. So please let me know the Quaid-i-Azam's orders on the subject as soon as you get this letter.

The Frontier Province has given another proof of Muslim awakening and solidarity.² Let us march forward to our goal under the wise and bold leadership of the great leader God has vouchsafed to us.

Digargoon Hai Jahan Taron Ki Gardish Tez Hai Saqui!

*Dil-i-Har Zarrah Main Ghogha-i-Rastakhez Hai Saqui!*³

The letter has become too long. I am so sorry to have bored you. Trusting this finds the Quaid-i-Azam and yourself in the best of health and hoping to be favoured with an early reply,

With regards and the best of wishes for you both,

Yours very sincerely,

HASSAN

¹Deputy Secretary, Finance Department, Government of India.

²Refers to ML's victory in the referendum.

³*O Saqui!* The world is in turmoil, the stars are in a whirl

The heart of each particle is filled with the din of doom.

224

Louis Mountbatten to M. A. Jinnah

F. 2/244

THE VICEROY'S HOUSE,
NEW DELHI,
23 July 1947

Dear Mr. Jinnah,

You may remember I told you that there was some difficulty in finding a suitable Air Vice-Marshal to command the R.P.A.F., since we were anxious to get you a really enthusiastic volunteer.

2. I have discussed the matter with Field Marshal Auchinleck and Air Marshal Walmsley (the Air C.-in-C.) and we have come to the unanimous conclusion that Air Vice-Marshal A. L. A. Perry-Keene is undoubtedly the best candidate and indeed the only one who is really an enthusiastic volunteer for the job.

3. He served in India from January 1935 until he went to 221 Group in Burma in 1942. After serving as Director of Training at the Air Ministry, he volunteered to come to India again and has been serving out here for [*sic*] the last year. He has the Order of the British Empire, he was mentioned in despatches and is a Companion of the Bath. I suggest that you should arrange with Air Marshal Walmsley for Air Vice-Marshal Perry-Keene to come and see you as soon as convenient.

4. I shall be glad to have confirmation from you that you have agreed to Lieutenant-General Sir Frank Messervy as Commander of the Pakistan Army and Commodore Jefford as the Rear Admiral commanding the R.P.N., as I consider the appointments should be made at least three weeks before these officers are required to take over operational command.

Yours sincerely,
MOUNTBATTEN OF BURMA

225

*Nawab of Bhopal to M. A. Jinnah**F. 692/19*

QASR-I-SULTANI,
BHOPAL,
23 July 1947

My dear Quaid-i-Azam,

Many messages have come to me from different quarters asking me to intercede with the Government of India, on behalf of the Indonesians, in the ugly turn the situation has taken in Java.¹ Unless some action is taken immediately, it may be that the Netherlands authorities may take advantage of our silence and do harm to the young republic.

I do not know what I can do in this matter. I, however, feel that it will be in the fitness of things if you were to declare on behalf of Pakistan that Muslim India will consider it an unfriendly act if the Government of Holland will resort to arms to crush the freedom of a Muslim nation. A word of warning to the U.S.A. and the U.K. may as well be uttered to re-establish peace in Java.

You will of course know best what action should be taken.

With respect,

Yours very sincerely,
HAMIDULLAH

¹During the Second World War, Indonesia remained under Japanese occupation from 1942 to 45. On 17 August 1945, two days after capitulation of Japan, Indonesia declared its independence. On 21 July 1947, the Dutch launched their first "police-action", an all-out attack on Java and Sumatra and occupied large areas. On 4 August 1947, a cease-fire was agreed upon but the Dutch continued to occupy new territories in "mopping-up operations". The Indonesians eventually threw out the Dutch in December 1947.

226

*Note by M. A. Azam¹**F. 1122/79-91*

23 July 1947

A PLAN FOR INDUSTRIALIZATION OF PAKISTAN

[Para 1 omitted]

[2.] There is no physical measure of the soundness of a plan except

in the ultimate results obtained. Planned advance may be measured by certain objective tests of the standard of living, from year to year, such as:

1. The improvement of nutrition from the standard of irreducible minimum requirement of proteins, carbohydrates, minerals and protective foods to ensure a target of 2,400 to 2,800 units of calorific value for an adult worker.
2. The improvement of clothing to raise the level of consumption to 30 yds. at least per capita.
3. Housing standards to reach 100 sq. ft. per capita.

[3.] These necessarily imply a co-ordinated advance in: (a) agricultural and industrial production, to raise per capita income; (b) the public utility services and standard of health and sanitation so as to lengthen the average expectation of life; [and] (c) reducing unemployment and illiteracy.

[Paras 4 to 6 omitted]

[7.] Let us remember that unnecessary want has no place in a policy of freedom. The victim of involuntary unemployment is not free; nor is the man in any walk of life who, because of monopoly, illiteracy, or other unjust reason, is deprived of his chance at self-fulfillment. It is within the Government's power and duty to prevent unnecessary want.

[8.] In the context of above let us formulate our plans and do the planning. If we have honesty, integrity and sincerity of purpose, we have almost everything. Let us not despair. *Allah* be with us.

THE 5-YEAR PLANS

[9.] In an earlier discourse² I dwelt at length on the fundamentals or basic principles of industrialization and outlined a programme of a series of five-year plans. There I have advocated a policy of co-ordinated developments of seven main group of industries, namely—

1. Food
2. Textiles
3. Building Materials and Materials of Construction
4. Communication and Transportation
5. Power and Power Tools
6. Chemicals and Pharmaceuticals
7. Miscellaneous Industries, such as Paper, Leather, etc.

[10.] In each 5-year project the different categories of industries will be simultaneously developed, the importance of and the emphasis on each group being in the ratio of successive layers of a pyramid from the bottom upward. Thus, during the first 5 years, the pyramid will represent the seven group[s] of industries in following order, which

takes into account the needs of the individual or the nation in their natural order and national sequence. Food is the first and prime need of life, so it comes first. Next in importance are, of course, textiles followed by building materials, transportation and communication etc. etc.

[11.] During the second 5-year plan, the second item, i.e. textiles and in the third 5-year plan the third item, i.e. building materials will respectively come first with the rest maintaining the usual order.... In course of seven 5-year plans, each of the seven principal group[s] of industries [*sic*] programme, which on completion will leave us a more or less solid block of an all-round industrial programme and achievement, advancing with the force of its own momentum steadily onward with the march of time and civilization.

[12.] There are other ways of classifying or grouping industries such as: (according to their character, i.e.)

a. Basic Industries, such as:

- Aircraft
- Automobiles and Tractors
- Chemicals and Dyes
- Iron and Steel
- Prime Moves
- Transport Vehicles
- Electric Machinery
- Machine Tools
- Electro-Chemicals and
- Non-ferrous Metal Industries

b. Feeder or Supplementary Industries

or, according to size [such] as:

- a. Large-scale Mechanized Industries
- b. Medium size Industries
- c. Cottage Industries

or, according to the basic sources of raw materials employed as:

- a. Mining and Metallurgical Industries
- b. Agricultural Industries
- c. Livestock Industries, Poultry and Fisheries
- d. Forest Industries
- e. Synthetic Industries

or, according to the different raw materials used such as:

- a. Ferrous and Non-Ferrous Metals
- b. Coal and Coal tar by-products
- c. Glass, Ceramics and Refractories
- d. Leather

- f. Oils
- g. Wood, Pulp and Paper
- h. Pigments, Paints and Varnishes and Printing Ink
- i. Jute
- j. Cotton
- k. Silk
- l. Wool
- m. Regenerated and Synthetic fibres
- n. Chemicals (heavy, fine, electro-chemicals, drugs and pharmaceuticals)
- o. Synthetic Resins, Plastics, Films
- p. Synthetic Fuels, etc., etc.

[13.] They may further be grouped under broad categories according to the processes involved such as:

- a. Hand Operated Industries
- b. Mechanical Industries
- c. Chemical Industries
- d. Electrical Industries
- e. Electro-Chemical Industries
- f. Hydro-electric Industries
- g. Thermal Industries

We may also group them according to their applications, such as:

- a. Farming Industries
- b. Housing Industries
- c. Clothing Industries
- d. Locomotive Industries
- e. Marine Industries
- f. Aviation Industries
- g. Medical, Surgical and Therapeutical Industries
- h. Other Public Utilities

[14.] The National Planning Committee made 4 tentative categories of industries as follows:

- a. Defence Industries
- b. Key Industries
- c. Public Utilities
- d. Cottage Industries

And yet according to the principal sources of national wealth we may, in case of Eastern Pakistan concentrate our industries around, and in course of development of the following:

- a. Jute
- b. Cotton

- c. Sugar
- d. Tea
- e. Leather
- f. Lime and Cement
- g. Silk
- h. Hydroelectricity

[15.] All the above groupings have to be kept in view. For the purpose of the 5-year plans I have preferred the seven basic groups as they are classified according to the requirements of the nation. The division which symbolizes the evolution of an industrial nation implies a systematic, graded and all-round schedule of development.

[Paras 16 and 17 omitted]

INDUSTRIES TO BE IMMEDIATELY STARTED

[18.] Before waiting for an elaborate and comprehensive scheme which must be left with a Planning Advisory Board to be formed as early as possible, with the implementation of the national Government of Pakistan, industries like the following may be taken up outright:

1. Jute spinning and weaving
2. Cotton spinning and weaving
3. Silk spinning and weaving
4. Paper
5. Leather
6. Lime and Cement
7. Soap
8. Oil milling
9. Sulphuric Acid
10. Hydro-electric development

In the meantime, the Planning Advisory Board will appoint two main Survey Committees:

- A. For survey of raw material resources:
 - i. Agricultural, ii. Mineral, iii. Forest, iv. Live stock, v. Poultry and Fishery, etc.
- B. For survey of the existing industries of Pakistan

THE SET-UP

[19.] The materials thus available will be co-ordinated to formulate the requirement of the nation and geared to the successive 5-year plans in conformity with the gradual elevation of the standard of living and national goal of economic self-sufficiency.

[Paras 20 to 22 omitted]

[23.] The Directorates of Industries of Pakistan on which lie naturally the onus and responsibility of industrialization, should compile

classified information and complete schemes on the different industries which in general principles and outlines, may finally be examined and approved by the Planning Advisory Board. Scheme and models may be called for from the public and an institution called Scientific Talent Search as exists in the U.S.A. may be introduced. This body, under the Directorate of Industries, will award prizes for valuable suggestions, inventions and practical scheme(s) for new industries or on re-organization of old ones, etc. The Universities should co-operate by allowing Honours and post-graduate science students to investigate into particular industries and submit constructive schemes which will account to their credit in final examination. On the younger generation of our students rests a good deal of our industrial future and they must share this responsibility in full. A comprehensive plan for Technical and Industrial Education and Research should also be drawn by a Sub-Committee called Council of Scientific and Technical Training and Research appointed by the Planning Advisory Board. Technical education must include a thorough training in the principles of basic industrial operations and applications thereof in actual industrial practices.

[24.] Students must also learn the fundamentals of industrialization and principles of industrial planning. Students for overseas training and their subjects must be selected with greatest amount of precaution after a careful study of our requirements in relation to one another in the different types of industries and also in the different branches of a particular industry. There is no sense in sending a student for training in metallurgy or plastics without specifying the particular aspect of the subjects in which to specialize.

[Para 25 omitted]

[26.] Applicants for setting up new industries or expansion of old ones should be received by the Chamber of Commerce and Industry through the respective Associations. The Chamber will examine the soundness of the scheme and forward their recommendations to the Directorate of Industries for necessary permit. Bonafide applicants must be served very promptly. From the date of submission of an application to final disposal of the case it should not take more than 7 (seven) days. This is very important as the existing condition of shameful disgrace perpetuated in bungling and red-tapism simply beggar description. Nothing could be a [greater] disservice to the nation than the harassing of the public by the public servants. This must stop at once.

[27.] Many modern states favour nationalization of industries. The Advisory Planning Board of the Government of India has recommended nationalization of Defence industries, coal, minerals, oils, iron and

steel, motor, air, and river transport. The Committee also recommended State-ownership or State-control of the basic industries mentioned earlier in para 12 (a).

[Paras 28 and 29 omitted]

[30.] Except in Defence, Key and Public Utilities, the question of State-ownership or control must be very carefully considered. There are some enthusiasts who want to introduce State control in every big industries. It must be recommended that when [the] Government run[s] an industry it has the tendency to become nobody's business. The administration becomes top-heavy and production slows making the organisation a complete liability on the public. This must stop too. The efficiency of a Government should not by any means be lower than a parallel private organization. The production per capita of man-power or per 1,000 rupees of establishment charges must be standardized and efficiency compared with similar factories.

[31.] There are certain industries the control of which must rest in the Pakistan Centre. Government of India in their statement of Industrial Policy have recommended the following industries for centralization:

- (i) Iron and Steel
- (ii) Manufacture of Prime Movers
- (iii) Automobiles and Tractors and Transport Vehicles
- (iv) Aircraft
- (v) Ship-building and Marine Engineering
- (vi) Electrical Machinery
- (vii) Heavy Machinery, such as Textiles, Sugar, Paper, Mining, Cement and Chemical
- (viii) Machine Tools
- (ix) Heavy Chemicals and Fine Chemicals, Chemical dyes, Fertilizers and Pharmaceutical drugs
- (x) Electro-Chemical Industry
- (xi) Cotton and Woollen Textiles
- (xii) Cement
- (xiii) Power Alcohol
- (xiv) Motor and Airation [*sic* for Aviation] fuel
- (xv) Rubber Manufacture
- (xvi) Non-ferrous Metals Industry
- (xvii) Electric Power
- (xviii) Coal
- (xix) Radio Engineering

FOREIGN CAPITAL, IMPORT & EXPORT

[32.] The question of foreign capital and management, import, export

and tariff should also be carefully considered by the Board. It is suggested that the intrusion of foreign firms in the field of industries should be restricted as far as possible. If in the case of highly specialized industries participation in capital is made a necessary condition of association the effective control should be retained in our hands. It may be highly desirable that foreign technicians should be employed on contract basis. Pakistan personnel should, by agreement, be trained for all grades of the industry so that eventually they can take over both the administration and technical management.

[33.] With regard to import there will be immediate necessity for coal, fuel, oil, iron and steel, non-ferrous metals and machinery, particularly plants for spinning and weaving mills (both jute and cotton), leather tanning factory, etc.

[34.] Some experts have advocated use of diesel engines for running our plants and for this purpose a short term agreement for Middle East oil has been suggested. Without going into the details of the issue we may replace a part of our coal requirements by oil.

[35.] Both the Government of India plan and the National Planning Committee have emphasized on self-sufficiency and fixing of targets primarily with a view to catering to the home market. Exports have been considered subsidiary.

[36.] With regard to Pakistan, the position will be obviously different. Exports here will form a prime consideration not in supersession of self-sufficiency but in conjunction and adjustment with it.

[37.] To make any plan effective, legislation both positive and restrictive must come to its aid and give the "Go" signal to the nation's programme of industrialization.

¹Deputy Director of Industries, Bengal.

²Not available in QAP.

227

H. M. Patel to M. A. Jinnah

F. 127/470

SECRET

No. P.O-30/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
23 July 1947

The undersigned is directed to circulate to the Members of the Partition

Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Saturday, the 19th July, 1947.

H. M. PATEL

Enclosure to No. 227

F. 127/471-5

SECRET

MEETING OF THE PARTITION COUNCIL
HELD ON SATURDAY, THE 19TH JULY
1947, AT 10 A.M.

PRESENT

His Excellency the Viceroy

Mr. M. A. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad

The Hon'ble the Defence Member } (Cases No. PC/58/7/47 to

The Chief of the General Staff } PC/61/7/47 only)

The Principal Secretary to H.E. the Viceroy

Mr. H. M. Patel

Mr. Mohamad Ali

Brigadier J. G. Elliott

Mr. Osman Ali

Lt. Col. V. F. Erskine-Crum

CASE NO. PC/64/7/47¹

REPORT² OF THE I & B DEPT. SUB-COMMITTEE OF
EXPERT COMMITTEE NO. I
ON ITEM (a) (i) OF THE TERMS OF REFERENCE OF
THE EXPERT COMMITTEE

His Excellency remarked that some equipment, e. g. transmitters, was not readily susceptible of transfer from one place to another and that the Expert Committee, if it had not already done so, might consider the possibility of buying new equipment from H.M.G. to be paid for possibly out of the sterling balances. During the war there was endless production of transmitters and other radio equipment in the U. K. which did not cease immediately upon the close of hostilities. It was likely, therefore, that such equipment might be available. The position might be ascertained by telegram.

The Council approved:

[item (1) omitted]

(2) the proposal that the Departmental Sub-Committee be directed to consider the possibility (a) of buying new transmitters etc. from the U. K. as an alternative to transferring existing equipment from one Dominion to the other and (b) of making payment for such equipment if purchased in the U. K. out of the sterling balances.

CASE NO. PC/67/7/47
DUPLICATION OF RECORDED FILES
FOR THE PAKISTAN GOVERNMENT

The Council approved the recommendations of the Steering Committee³ regarding the duplication of recorded files for the Pakistan Government.

CASE NO. PC/69/7/47
FUTURE ECONOMIC RELATIONS
BETWEEN THE TWO DOMINIONS

His Excellency said he had recently been meeting some industrial magnates who had raised the question of the future economic relations between the two Dominions. They had brought to his notice the flight of capital from Pakistan territory which was ascribed partly to the fear of Pakistan imposing restrictive legislation on non-Muslims' business activities and expressed their anxiety to check it, as it would, if allowed to continue, dislocate business in both Dominions. The specific case of cotton had been mentioned in this connection. For some years past the normal practice had been for the cotton grown in the Punjab and Sind to be milled largely in India[n] territory. There were obvious and sound reasons for continuing this practice but the businessmen concerned were afraid to go ahead with their purchases of cotton because of their uncertainty regarding Pakistan's policy in this matter. Continuing, H. E. said he was convinced that the present tendency was unhealthy from the point of view of both Dominions and he felt it was his duty to bring these facts to the notice of both parties. He thought a possible remedy might be found if some of these big businessmen were invited to discuss the matter with the Council or with representatives of the two Dominions.

Mr. Jinnah said that he resented the allegations spread by mischievous propaganda that non-Muslim industrialists in Pakistan would not get a fair deal. He had also met some non-Muslim industrialists (who were not citizens of Pakistan) in the past week who had expressed the desire to do business in Pakistan but who were afraid that they would be discriminated against as foreigners. He had dispelled their fears on this score and assured them that although they would be

technically foreigners, no distinction or discrimination would be drawn against them and they would be allowed full facilities to carry on their normal business. There were now three courses open to us: (a) to minimise, (b) to encourage or (c) to ignore the present developments. Since both parties had accepted partition, he was in entire agreement with His Excellency that they should make joint efforts to minimise this tendency.

Sardar Patel said that in his view it would be best to let things work themselves out. We had agreed on partition, and we must face some of the inevitable consequences of which this was one.

Mr. Liaquat Ali pointed out that one of the Expert Committees was at present examining the question of economic relations between the two Dominions, and would be reporting on the extent to which the present arrangements could be continued at least till March 1948. The Council's decisions on its recommendations should have the effect of dispelling uncertainties and vague apprehensions.

His Excellency said that in view of Mr. Liaquat Ali's statement the best course would be for the letters he had received from businessmen to be placed before the Expert Committee as evidence of the prevailing anxieties in the business-world. He would inform the industrial magnates.

¹The following have been omitted:

(1) Case No. PC/58/7/47 regarding continued shipment after 15 August 1947 of stores etc. belonging to the British Government; (2) Case No. PC/59/7/47 regarding temporary cancellation of orders for tanks from the United Kingdom; (3) Case No. PC/60/7/47 regarding allocation of the Indian Signal Corps between the two Dominions; (4) Case No. PC/61/7/47 regarding allocation of supply units of the R.I.A.S.C. between the two Dominions; (5) Case No. PC/62/7/47 regarding allocation of State saloons of the N. W. Railways; (6) Case No. PC/63/7/47 regarding Report of the Home Department about the abolition of the Secretariat of the Governor-General (Public) after 15 August 1947; (7) Case No. PC/65/7/47 regarding Report of the Agriculture and Food Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee; (8) Case No. PC/66/7/47 regarding Report of Labour Department Sub-Committee of Expert Committee No. I on item (a) (i) of the terms of reference of the Expert Committee; and (9) Case No. PC/68/7/47 regarding the Viceroy's projected visit to Lahore and Bengal.

²See Enclosure 2 to No. 192.

³The following suggestions of Expert Committee No. I were recommended by the Steering Committee to the Partition Council:

- a. Sub-Committees should edit files for printing but should not send them to Controller of Printing and Stationery until further orders.
- b. One copy of all printed recorded files, of interest to the Pakistan Government, be made available to Muslim members of the Sub-Committees. See F. 127/395-6, QAP. Not printed.

228

*H. M. Patel to M. A. Jinnah**F. 127/419*

SECRET

No. P.O. 31/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
23 July 1947

The Steering Committee present their compliments to Mr. M. A. Jinnah and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at the Viceroy's House at 5 p.m. tomorrow, the 24th July [1947].¹

AGENDA

1. Report on item (b) of the terms of reference of Expert Committee No. I—Division of officers and staffs of the Central Government.
 2. Report of the Legislative Department Sub-Committee regarding the Secretariat of the Governor-General (Reforms) on items (a), (b) and (c) of the terms of reference of Expert Committee No. I.²
 3. Report of the Health Department Sub-Committee on Item 1 (a) (i) of the terms of reference of Expert Committee No. I.
- (Papers in respect of all the three items are attached).

H. M. PATEL

¹Underlined in the original.²See F. 127/429-33, QAP. Not printed.*Enclosure 1 to No. 228**F. 127/420*

Subject: Item (b) of the terms of Reference of Expert Committee No. I:
Division of Officers and Staffs of the Central Government

Expert Committee No. I have examined the reports of the Departmental Sub-Committees on item (b) of the Terms of Reference and have put forward in their Memorandum No. 1/E. C. (1) dated the 18th July 1947 (copy attached)¹ their proposals for the division of officers and staff of the Central Government and for their transfer to Governments of their choice. The Steering Committee are in substantial agreement with these proposals and consider that all the Departments of the two Governments should be instructed as in the enclosed draft.²

2. The Partition Council's approval to the issue of the proposed instructions is requested.

¹Annexure I to Enclosure 1.

²Annexure II to *ibid.*

Annexure I to Enclosure 1 to No. 228

F. 127/421-3

No. 1/E.C.(I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
18 July 1947

Subject: Procedure for dealing with the reports from Departmental Sub-Committee of Expert Committee No. I

[Para 1 omitted]

2. A preliminary review of the report of Sub-Committees on item (b) of the Terms of Reference has disclosed the existence of the following problems:

- a. The manner in which final provisional and indefinite options are to be dealt with.
- b. Retention of persons in the interests of administration against their option.
- c. Arrangement for staffing of offices which are to be divided and set up in new locations to serve in which a sufficient number of employees have not opted.

3. The Committee has considered those difficulties and is of the opinion that... the Departmental Committee and Heads of Offices should take steps to release all persons who have opted (finally or provisionally) to serve under a Government other than the one in whose jurisdiction the office in which they are serving is located as early as possible and to complete the work by the 15th August. In the case of the Government of India Secretariat and other offices, the relief of staff should commence from 24th July and completed within the prescribed time.

[Paras 4 & 5 omitted]

6. Intimation should be given of the date of relief of any employee to the representative of the Government which the employee has elected to serve.

7. To facilitate movement of officers and men who have opted for Pakistan or India, the Partition Office has already issued instructions to

Departments to frame a programme for movement of staff in consultation with the Departmental Sub-Committees. In making arrangements, the Sub-Committees should be asked to bear in mind the necessity of forming transfer branches in each office to look after the partition date [sic]. Persons who will be left behind in the transfer branches will be treated as employees of the Pakistan or the Indian Government as the case may be, but the Government in whose jurisdiction they remain will give them facilities in the discharge of their functions. The question of residential accommodation at Delhi for persons left behind by the Pakistan Government is under consideration and a further communication will follow.

8. It is also proposed to ask Departmental Sub-Committees to set up a Committee consisting of a non-Muslim and a Muslim in all Attached and Subordinate Offices that are going to be divided to supervise the work relating to the Partition including the movement of employees who are transferred, division of furniture, duplication of records, etc.

9. Orders of the Partition Council on the above proposals are requested at an early date.

P. V. R. RAO
M. AYUB
[Secretaries]

The Steering Committee
H. M. Patel/Mohamad Ali

Annexure II to Enclosure 1 to No. 228

F. 127/424-6

[DRAFT] D.O. No. P.O.A.4(44)/47

PARTITION COUNCIL SECRETARIAT,
NEW DELHI,
July 1947

Dear

Will you please refer to the correspondence regarding transfers to and from Pakistan resting with our D. O. letter No. A-4(7), dated the 11th and 15th July 1947.¹ We have since had the benefit of the advice of Expert Committee No. I and feel that action should now be taken on the following lines.

2. Heads of offices should take steps to arrange, as early as possible, for the transfer of all persons who have opted (finally or provisionally) to serve under a Government other than the one they are serving at present with a view to transfers to the Governments of their choice

being completed by the 15th August 1947. As regards persons who are prepared to serve either Government, Expert Committee No. I has been asked to propose an allocation in each individual case having regard to the needs of the two Governments and the merits of the officers concerned.

3. There may be some cases of big organizations, like the Railways and Posts and Telegraphs, in which having regard to the numbers involved and the needs to avoid dislocation, it may not be possible to complete the process of transfer by the 15th August 1947. In such cases, the two Governments have agreed to make arrangements to effect transfers not later than the 15th October 1947. The staff concerned will remain under the administrative control of the Government which they are serving until they are transferred.

*[Paras 4 to 6 omitted]*²

7. With a view to facilitating smooth transfers of officers and men to and from Pakistan, it is requested that you should arrange the programme of transfers to the other Government in consultation with your counterpart. The Pakistan Government proposes to leave behind for a strictly limited period some of their officers with a view to continuing the work of co-ordination, even after the date of partition and it is hoped that in consultation with them it will be possible to give effect, in an orderly fashion, to the arrangements for the exchange of personnel outlined in the preceding paragraph.

Yours sincerely,
H. M. PATEL
MOHAMAD ALI

Secretaries, All Departments
India/Pakistan

¹Not available in QAP.

²Annexure regarding safeguard for Government employees on deputation not printed. See F. 127/427-8, QAP.

*Enclosure 2 to No. 228**F. 127/434*

RECOMMENDATIONS OF THE STEERING COMMITTEE
ON THE REPORT OF THE HEALTH DEPARTMENT
SUB-COMMITTEE ON ITEM 1 (a) OF
THE TERMS OF REFERENCE OF EXPERT COMMITTEE NO. I

A copy of the Report¹ of the Health Sub-Committee on item 1 (a) (i) of the Terms of Reference, as also of Expert Committee No. I's observations thereon, is attached. The Steering Committee recommend that the Sub-Committee's recommendation as modified by Expert Committee No. I be accepted, subject to any change that may later be found to be necessary in the light of the Partition Council's decisions in regard to the facilities to be provided to the nationals of one Dominion at the "unique" establishments situated in the other Dominion.

¹Annexure I to Enclosure 2.

*Annexure 1 to Enclosure 2 to No. 228**F. 127/435-6*

No. 1/6/E.C.(I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
14 July 1947

MEMORANDUM

Subject: Report of the Health Department Sub-Committee on Item 1
(a) (i) of the Terms of Reference of Expert Committee No. I.

[Para 1 omitted]

2. The Muslim and non-Muslim members of this Sub-Committee have submitted separate reports¹ but a study of the reports disclosed that there is large measure of agreement between the two parties. The Committee, after examining the points of difference, makes the following recommendations:

- a. The proposals for the Pakistan and the Government of India Secretariat are generally suitable and may be approved.
- b. The offices of the Director-General, Indian Medical Service, and Public Health Commissioner may be combined and placed under a Director-General, Health Services. Similarly, in Pakistan, there should be a Director-General of Health Services to look after medical and health problems.
- c. Except with regard to the Malaria Institute of India, the Medical Stores Depot, and the Port Health Department, the other institutes

and offices should remain in India subject, of course, to financial adjustment which is a matter for Expert Committee No. II. It is agreed that the services and training facilities available in these institutes should be available to the Pakistan Government on payment, and that it should receive the same priority as the Provincial Governments in the Union of India. These facilities should be available for a period of 3 years; any extension of the terms would be a matter for negotiations between the two Governments. The number of seats to be reserved in any training [*sic* for institution] should be based on the average of students from the Pakistan area during the 3 previous years; additional reservations would be a matter for negotiation between the two Governments. Also, once a candidate is admitted for training, he should be given facilities to complete his course of training.

3. The Sub-Committee have agreed that the equipment in the Malaria Institute of India is capable of division. They have also agreed regarding the basis of division except with regard to half a dozen items. The differences with regard to these items also have been resolved by the Main Committee in consultation with the Sub-Committee and necessary instructions regarding the division are being issued to the Sub-Committee.

4. The medical stores depot at Lahore would go to the Pakistan Government while the other medical stores depots would remain with the Government of India. The division of the medical stores between the two Governments is a matter for Expert Committee No. II to whom a reference has been made. It is also agreed that the Pakistan Government should be provided with a reasonable amount of drugs, etc., produced at the existing medical stores factories in India for a period of three years. The supplies would be on payment and the Pakistan Government would receive the same treatment with regard to priority and rates as the Provinces of the Indian Union.

5. The Pakistan Government should take over the Port Health Organisation at Karachi and Chittagong Airports and Seaports. The remaining Port Health organizations would remain with the Government of India.

6. The orders of the Partition Council are requested on the recommendations made above.

P. V. R. RAO
M. AYUB
Secretaries

The Steering Committee,
H. M. Patel/Mohamad Ali

¹A summary of the reports of the Muslim members of the Sub-Committee is given in Annexure II.

Annexure II to Enclosure 2 to No. 228

DEPARTMENT OF HEALTH,
[NEW DELHI],
3 July 1947

RECOMMENDATION OF THE MUSLIM MEMBERS OF HEALTH
DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. 1

A. Item (a) (i) of the Terms of Reference.

Proposals regarding the various kinds and grades of staff required by the new Government to discharge the work that will arise in respect of subjects allotted to the Health Department.

[A summary of the Report¹ is as follows:

Mr. G. A. Madani, the Muslim Member of the Health Department Sub-Committee of Expert Committee No. 1 suggested a substantial reduction in the strength of the new Department to be set up in Pakistan. Against 10 Sections in the Government of India, he proposed 3 Sections for the Government of Pakistan.²

2. He also suggested amalgamation of the posts of Director-General, and Public Health Commissioner, to be known as Director-General, Health Services, Pakistan.³

3. As a general principle, the Muslim members of the Sub-Committee laid down that in all cases where a unit was located in India and its assets were held to be indivisible, financial adjustments should be made on the basis of book value of all movable and immovable assets (e.g. lands, buildings, plants, machinery, equipment, etc.) and the proportionate share of the Pakistan Government paid to them while the assets remained physically with the Government of India.

4. Subject to the above rider the other recommendations with regard to specific units were as follows:

(i) *All India Institute of Hygiene and Public Health, Calcutta:*

They recommended that training facilities should be provided at the Institute for the next 15 years to nominees of the Pakistan Government in all those disciplines for which facilities existed, seats being reserved for Pakistan on the basis of population. Pakistan Government should not be liable to pay capitation charges for the reserved seats; only tuition fees etc. should be payable. The Hindu members agreed to reservation for a period of 5 years only subject to payment of capitation charges in addition to other fees, etc.

(ii) *Lake Medical College and Hospital, Calcutta:*

According to them facilities should be available for training of licentiates nominated by Pakistan Government for a period of 5 years. Not objecting to it, the Hindu members, however, restricted the period to 3 years.

(iii) *Central Drugs Laboratory, Calcutta:*

The recommendations of the Muslim members were that training facilities should be provided to nominees of the Pakistan Government for a period of 5 years; and no charges should be made for testing and analysis of the samples sent to the Laboratory by the Pakistan Government. The Hindu members disagreed and suggested that the Pakistan Government should be charged for services rendered at the rates fixed for the provinces of India.

(iv) *Pharmacognosy Laboratory, Calcutta:*

The Muslim members were of the view that the Government of Pakistan and its component units should be entitled to have samples tested and analysed at the Laboratory for 5 years. Training facilities should also be provided on the same terms and conditions as to the nominees of [the] Indian Government. The Hindu members had no objection but suggested payment for such tests etc.

(v) *The Malaria Institute of India, Delhi:*

According to the Muslim members the Institute was "capable of division and should be divided" along with its technical equipment. The Hindu members disagreed; he [*sic* for they] opposed the division of the Institute but suggested that only some equipment could be divided for transfer to Pakistan.

(vi) *Central Research Institute, Kasauli:*

The Muslim members recommended that various kinds of sera and vaccines as also sterilized surgical ligatures and sutures manufactured at the Institute should continue to be supplied to Pakistan areas for the next 5 years on the basis of average of annual supplies made to Pakistan areas for the last three years. The Hindu members wanted this facility to be restricted to 3 years only.

(vii) *Ranchi Mental Hospital, Ranchi:*

The Muslim members suggested that beds should be reserved for patients from Pakistan areas for the next 10 years at the Hospital as at present. The Hindu members raised no objection.

(viii) *The College of Nursing, Delhi:*

The Muslim members asked that training facilities should be provided to Pakistan Government's nominees for a period of 5 years, seats being reserved for students from Pakistan on the basis of population and that no capitation charges should be levied.

The Hindu members did not object to the training facilities but insisted on payment of capitation charges, in addition to other fees.

(ix) *Medical Stores Departments:*

Except for one medical store depot at Lahore, all the other 5 stores and two factories (at Bombay and Madras) were located in India. The Muslim members recommended that for the next 5 years, 25% of the output of both the factories should be earmarked for Pakistan and supplied on the same terms and conditions as to other indentors. The Hindu members suggested that only a "reasonable amount" of drugs be supplied to Pakistan and that too for a period of 3 years.

(x) *The Virus Laboratories, Madras and Bombay:*

The Muslim members asked that the Pakistan Government should be entitled to receive yellow fever vaccine from the Laboratories for the next 5 years to which no objection was raised by the Hindu members.]

¹For the Report see F. 127/437-55, QAP. Not printed.

²For the proposed set up see Annexure III.

³For the proposed set up of this office see Annexure IV.

Annexure III to Enclosure 2 to No. 228

F. 127/452

DEPARTMENT OF HEALTH
SECRETARY, DEPUTY SECRETARY (HEALTH)

(IF THE DEPARTMENT IS TO BE ORGANISED AS A SEPARATE ENTITY)

Assistant Secretary		Assistant Secretary	
Medical	General	Public Health	Planning & Development
One Superintendent	One Superintendent	One Superintendent	One Superintendent
4 Assistants and 3 Clerks	4 Assistants and 8 Clerks (Six to deal with Issue and Receipts)	4 Assistants and 3 Clerks	4 Assistants and 3 Clerks
1. Medical Profession	1. Medical Stores	1. Public Health Administration including the prevention and control of diseases	1. Water supply, Sewerage, Drainage and disposal of community wastes
2. Medical Education	2. Establishment	2. Anti-malaria operations & questions connected with malaria	2. Medical and Nutrition Research
3. Dental Education and Profession	3. Cash	3. Cinchona & Quinine substitutes	3. Local Self-Government
4. Medical Relief, Hospitals and Dispensaries	4. Issues and Receipts	4. Port Health Department	4. Training
5. Medical Attendance and Boards	5. Scarcity, Famine and Relief, etc.	5. Port & Air Quarantine International & Inter-provincial	5. Drugs Act
6. Grants-in-Aid for medical purposes		6. Vital statistics	6. Health Survey and Development Work
7. Nursing Education and Profession		7. River beach & air pollution	7. Central institutions in Hindustan in which training and other facilities are available for nominees of Pakistan Govt. according to the agreement entered into between the successive Governments
8. Lunacy			
Other staff required			
1. Deftaries	8		
2. Peons	16 including one Jamadar		

*Annexure IV to Enclosure 2 to No. 228**F. 127/455*

DIRECTOR-GENERAL, HEALTH SERVICES, PAKISTAN

1. D.D.G. (Health)
- i. A.D.G. (Q)
- a. Statistics
- ii. A.D.G. (P.H.)
- a. O.S.D. (Maternity & Child Welfare)
- b. O.S.D. (T.B.)
- c. O.S.D. (Nutrition)
- iii. Administrative Officers

2. D.D.G. (Medical)
- i. A.D.G.
- ii. Nursing Superintendent
- iii. Drugs Controller
- a. D.A.D.G. (M.S.)

3. D.D.G. (Planning & Development)
- i. O.S.D. (Publicity, Health Education)

Details of staff required:

1. Superintendents	6
2. Assistants-in-charge	5
3. Assistants	35
4. Draftsmen	2
5. Clerks	64
6. Daftaries	9
7. Record Sorters	2
8. Peons	34

*Annexure V to Enclosure 2 to No. 228**F. 127/456*

B. ITEM (a) (ii) OF THE TERMS OF REFERENCE

RECOMMENDATIONS OF THE MUSLIM MEMBERS OF THE
HEALTH DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. I

Office equipment in the main department and in the offices attached and subordinate to the Department that are going to be divided.

1. List of furniture and office equipment in the Department of Health and office of the Director-General, Indian Medical Service are attached.¹ It is recommended that the following articles should be divided in the ratio of 75:25 between the Hindustan and Pakistan Governments:

1. Durries
2. Carpets
3. Table Lamps
4. Iron Safes
5. Cash Boxes
6. Cycles
7. Type-writers
8. Electric Heaters
9. Steel Trays
10. Stirrup Pumps
11. Time Pieces
12. Clocks
13. Calculating Machines

14. Locks
15. Magnifying Glasses
16. Steel Racks
17. Steel Cupboard
18. Inkpots with Stands
19. Curtains
20. Waste Paper Baskets
21. Paper Weights
22. Stationery
23. Officer's Tables
24. Other Tables
25. Chairs
26. Almirahs
27. Screens
28. Arm Chairs
29. Wooden Racks
30. Wooden Trays

2. As regards the other articles of furniture, it is proposed that they should be valued and financial adjustments made between the two successor Governments on the basis indicated above that is in the ratio of 75:25.

[Para 3 about Malaria Institute omitted]

¹Not available in QAP.

Annexure VI to Enclosure 2 to No. 228

F. 127/457

C. ITEM (a) (iii) OF THE TERMS OF REFERENCE

RECOMMENDATIONS OF THE MUSLIM MEMBERS OF THE HEALTH DEPARTMENT SUB-COMMITTEE OF EXPERT COMMITTEE NO. I

List of all current files and all such files as are classified as 'A' under the Secretariat instructions.

Lists have been prepared in the prescribed form classifying files as 'A', 'B' and 'C' according to the general directive.

The classification may be accepted.

Lists are forwarded herewith.¹

Files marked 'A' will be handed over to the Pakistan Government in original. Files marked 'C' shall be duplicated and copies thereof made available to the Pakistan Government before August 15th, 1947.

¹Not available in QAP.

*Annexure VII to Enclosure 2 to No. 228**F. 127/458-69*HEALTH DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. I

Recommendation of Non-Muslim members:

A. Item (a) (i) of the Terms of Reference

B. Item (a) (ii) of the Terms of Reference

C. Item (a) (iii) of the Terms of the Reference

[All omitted]

229

*Maulvi Abu Sulaiman to Z. A. Ansari**[Extract]**F. 846/39-40*

24 July 1947

"I am at present touring Waziristan counteracting the Congress propaganda....

"On the night of the 29th *Sha'ban*, the Faqir Sahib of Ipi without informing anyone, left for Mount Shawal so as to pass the month of *Ramadan* in some secret place. It is his habit to remain hidden from the people for several months of the year. This creates an impression of his piety among the people. After *'Id* he intends calling a meeting of tribal representatives at Makin, a central town in the territory of the Mahsud tribe. His object at the meeting would be to convert Prince Fazluddin and his party to his own point of view—either by persuasion or [by] force.

Note: "It should be borne in mind that Prince Fazluddin is an old sympathiser of our party—the Jami'at Mujahidin-e-Hind. He has great influence over the Mahsud[s]. But a large part of the Mahsud tribes still belongs to the party of the Faqir of Ipi. The aim of present tour is to win over this part to our side.

"Instead of following the Faqir of Ipi, I decided to utilize his absence to our maximum advantage.... I therefore went to Makin, a stronghold of Ipi, and won over to the League cause the man who was responsible for Ipi's popularity among the Mahsuds. This man is Mulla Gul. On the 3rd *Ramadan* he took an oath in the *Jam'ia Masjid* of Makin to support the Muslim League. He has even sent his brother to Pir Sahib of Manki Sharif and Mr. Abdul Qaiyum Khan to assure them his loyalty to the Muslim League....

"The Agents of Afghanistan and the Congress are very busy here propagating the idea of Pathanistan. The *Islah*, the official newspaper of Afghanistan, has devoted its issue of 10th June, 1942 [?] to the advocacy of Pathanistan. Thousands of copies of this issue are being distributed here. A copy is also enclosed herewith.¹

"The two tribes of Waziristan which are the main support of Ipi are Tori Khel and Mumeet Khel. The Faqir has blood relationship with these tribes. On the 24th *Sha'ban*, when I entered Waziristan, I called a meeting of the representatives of these tribes. Many of them were converted to our point of view and assured me of their support of the Muslim League—particularly Mulla Gulla Jan, who is one of the chief political advisers of Ipi and who was responsible for the failure of hard chesterfields [*sic* for Lord Chesterfield] mission on the eve of World War II....

"To fight Pathanistan successfully we must take some precautions. We must not appoint to the Governorship of the Frontier any person belonging to this Province. Some such person should be appointed Governor who can successfully fight the propaganda that the League is un-Islamic, agents of the English and centre of Qadianis, and that to fight it is the greatest service to Islam. It would be proper if Maulana Shabbir Ahmad Usmani, Maulana Dawood Ghaznavi or Maulana Akram Khan are appointed to this post. But the League High Command is in a better position to understand the interests of the country.

"To fight the propaganda of the Congress and its agents, a declaration of Islamic Government, is not so essential as the proclamation for the suppression of prostitution, gambling and use [of] wine and other corrupt activities. This will create a very good impression over the Tribes.

"The Jam'iyyat al-'Ulama-i-Islam should issue a *fatwa* declaring any person who wars against Islam or otherwise indulges in activities injurious to it, to be an enemy of Islam. This *fatwa* should be distributed in the Frontier and Tribal Areas. It should also be sent to Hedjaz on the occasion of *Haj* so as to secure the support of *Ulema* of other Muslim countries.

"Pakistan flag should be hoisted over all the Government buildings in the tribal areas and Pakistan emblem should be printed over tickets, postage stamps and coins.

"All the prisoners from tribal areas should be released on the occasion of Pakistan celebrations. I request to send an English translation of this letter to Quaid-i-Azam. Will Quaid-i-Azam consent to receive a deputation of influential representatives from Waziristan?"

Note. If Quaid-i-Azam receives invitations from the tribes to visit their territory, *he should not place any faith in these invitations.*² He should not consent to visit these places so long as we do not succeed in bringing the Congress to an end.

ABU SULAIMAN

¹Not available in QAP.

²Sidelined and underlined in the original.

230

P. Oosman Koya to M. A. Jinnah

F. 886/266-9

PERINGADI, MAHE,
N. MALABAR,
24 July 1947

Revered Quaid-i-Azam,

In this most auspicious month of *Ramadan* on the occasion of the birth of the great Pakistan Dominion—the greatest Muslim Sovereign State in the world from the *mid night of 14 August 1947*¹ corresponding to the *27th Night of Holy Ramadan*—the “Night of Power”—the most Sacred Night according to the Holy *Qur’an*, I beg respectfully to convey my greetings and congratulations to you—our great Leader and the greatest Muslim Statesman of this country. A life-long constitutional fighter that you are and a hater of violence and bloodshed, God in his infinite mercy has chosen you for this great fulfillment without violence and bloodshed.

By this unique achievement for which there is no parallel in the history of Islam you have fulfilled the death-bed (?) predictions of the late Moulana Muhammad Ali and Sir Muhammad Iqbal. We the Muslim youths of Malabar who also contributed our humble part by responding from the very beginning to your clarion call of “Faith, Unity and Discipline” also feel and share this momentous jubilations. May the Almighty *Allah* spare you many years to achieve greater success and glory for the Muslims of India and the world of Islam.

In very humble response to your call for contributions, I am enclosing herewith Rs. 10, all that I could spare, being a member of a profession whose material rewards are poor. As the chosen leader of the *Millat* and its first Governor-General and citizen of Pakistan in the footsteps of

the noblest *Khalifas* of blessed memory, I feel confident that you will gladly condescend to accept this small amount from this poor donor.

Before closing, may I request you on this historic occasion to offer me a chance to fulfil my life-long ambition and desire—namely *to see, travel [to] and serve Muslim countries.*

Thanking you,

May Allah bless the name of Mohammad, Ali and Jinnah

I beg to remain,
Your humble servant of the *Millat*,
P. OOSMAN KOYA
Head Master,
Board High School

¹Underlined here and hereafter in the original.

231

Louis Mountbatten to M. A. Jinnah

F. 2/241-2

No. 1446/16

THE VICEROY'S HOUSE,
NEW DELHI,
24 July 1947

Dear Mr. Jinnah,

You will be glad, I am sure, to hear that [George] Cunningham has agreed to serve as Governor of the N.W.F.P. on the terms suggested by you.¹ If you wish to send him a personal message of welcome I shall be glad to forward it by telegram.

2. It is essential that we should now complete the list of Governors for Pakistan so that I may obtain the King's formal approval. Has [Ghulam Hussain] Hidayatullah accepted?²

3. I hope that we shall be able to reach finality about [Miles Wedderburn Lampson] Killearn³ in the next two days.

4. As regards Baluchistan, I understand that there are difficulties about making it a Governor's Province⁴ at once and that [Hugh] Weightman⁵ has refused, though the Secretary of State has approached him again and asked him to reconsider the matter. If you wish [Charles Geoffrey] Prior⁶ to carry on until the new Chief Commissioner, or alternatively a Governor, is appointed, I will try to persuade him to do so. The present position in regard to Prior is that I have warned him that he will not be wanted to stay on.

5. I shall be grateful for a most urgent reply to this letter. Even if Killearn is not yet settled we could get the King's approval to the other appointments and announce them in the Press.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 136.

²Jinnah informed Mountbatten that Hidayatullah had accepted the offer. See No. 237.

³Special Commissioner in South-East Asia from 1946.

⁴Mountbatten had informed Secretary of State about Jinnah's desire to make Baluchistan a Governor's province. He later communicated to him his doubts about the proposal due to certain constitutional factors. See No. 158, *TP*, XII, 220-1 and No. 178, *ibid.*, 267.

⁵Secretary, External Affairs Department, Government of India, 1946-47. In the event, he could not be persuaded.

⁶Agent to the Governor-General in Baluchistan, 1946-47.

232

H. L. Ismay to M. A. Jinnah

F. 2/248

THE VICEROY'S HOUSE,
NEW DELHI,
24 July 1947

My dear Mr. Jinnah,

His Excellency has asked me to write to you about the question of making an announcement about the Constituent Assembly of Pakistan. I attach a copy of the announcement as drafted by the experts and I should be grateful if you would let me know whether you agree that this should be issued at once.

There is, of course, a difficulty about the representation of the North West Frontier Province in that there are now two Congress representatives out of three, but as the Legislature remains the electoral college it is difficult to see how we can get over this.

Sincerely,
ISMAY

*Enclosure to No. 232**F. 2/249-52*

DRAFT ANNOUNCEMENT BY THE GOVERNOR-GENERAL

In pursuance of paragraph 21 of the Statement by His Majesty's Government dated the 3rd June, 1947,¹ and with reference to paragraphs 4 and 15 thereof His Excellency the Governor-General is pleased to direct that there shall be set up a new Constituent Assembly to be known as the Constituent Assembly of Pakistan consisting of the following members:

A. Representatives of East Bengal elected in pursuance of the Announcement by the Governor-General dated the 21st June, 1947:²

MUHAMMADAN

1. Mr. Abul Masud Abdul Hamid
2. Mr. Abdulla al Mahmood
3. Mr. Maulana M[uhamma]d Abdullah al Baqui
4. Mr. Abul Kasem Khan
5. Mr. Maulana M[uhamma]d Akram Khan
6. Mr. Azizuddin Ahmad
7. Mr. Ebrahim Khan
8. Mr. A. K. Fazlul Huq
9. The Hon'ble Mr. Fazlur Rahman
10. Mr. Ghyasuddin Pathan
11. Mr. Hamidul Huq Choudhury
12. The Hon'ble Mr. H. S. Suhrawardy
13. Professor Ishtiaq Husain Qureshi
14. Mr. M. A. H. Ispahani
15. Mr. Liaquat Ali Khan
16. Mr. Mafizuddin Ahmad
17. Dr. Mahmud Husain
18. Dr. A. M. Malik
19. Mr. Martuza [sic for Murtaza] Reza Choudhury
20. The Hon'ble Mr. Mohammed Ali
21. Mr. Muhammad Habibullah Bahar
22. Mr. Khwaja Nazimuddin
23. Mr. Nur Ahmed
24. The Hon'ble Mr. Nurul Amin
25. Mr. Serajul Islam
26. Maulana Shabbir Ahmad Usmani
27. Mr. Khwaja Shahabuddin
28. Begum Shaista Suhrawardy Ikramullah
29. Mr. Tamizuddin Khan

GENERAL

30. The Hon'ble Mr. Jogendra Nath Mandal
 31. Mr. Prem Hari Barma
 32. Mr. Dharendra Nath Datta
 33. Mr. Kiran Sankar Roy
 34. Mr. Raj Kumar Chakravarty
 35. Mr. Sris Chandra Chattopadhyaya
 36. Mr. Bhupendra Kumar Dutta
 37. Mr. Juanendra Chandra Majumder
 38. Mr. Birat Chandra Mandal
 39. Mr. Dhananjoy Roy
 40. Mr. Sachindra Narayan Sanyal
 41. Mr. Harendra Kumar Sur
- B. Representatives of West Punjab elected in pursuance of the Announcement by the Governor-General dated the 23rd June, 1947:

MUHAMMADAN

1. Mian Muhammad Iftikhar-ud-Din
2. Chaudhri Nazir Ahmed Khan
3. Malik Muhammad Firoz Khan Noon
4. Mian Mumtaz Muhammad Khan Daultana
5. Sheikh Karamat Ali
6. Malik Omar Hayat
7. Begum Jahan Ara Shah Nawaz
8. Sardar Shaukat Hayat Khan
9. Hon'ble Raja Ghazanfar Ali Khan
10. Hon'ble Sardar Abdur Rab Nishtar
11. Mr. Mohammad Ali Jinnah
12. Khan Iftikhar Husain Khan [Mamdot]

GENERAL

13. Lala Autar Narain Gujral
14. Mr. Bhim Sen Sachar
15. Rai Bahadur Ganga Saran

SIKH

16. Sardar Kartar Singh
 17. Sardar Ujjal Singh
- C. Representatives of Sind, the North West Frontier Province and British Baluchistan who were elected to the existing Constituent Assembly:

SIND
MUHAMMADAN

1. The Hon'ble Pirzada Abdus Sattar Abdul Rahman, J.P.
2. Mr. Muhammad Hashim Gazdar, J.P.
3. The Hon'ble Khan Bahadur M. A. Khuhro

GENERAL

4. Mr. Jairamdas Daulatram

NORTH WEST FRONTIER PROVINCE

MUHAMMADAN

1. Khan Abdul Ghaffar Khan
2. The Hon'ble Maulana Abul Kalam Azad
3. Khan Sardar Bahadur Khan

BRITISH BALUCHISTAN

[1.] Sardar Bahadur Nawab Mohammad Khan Jogezi

D. Representatives of Sylhet District who are to be elected in pursuance of the Announcement by the Governor-General dated the 22nd July, 1947.

Note. Names will be announced later.

¹No. 1, Vol. II, 1-6.

233

H. M. Patel to M. A. Jinnah

F. 127/477

SECRET

No. P.O. 32/PC/47

GOVERNMENT OF INDIA, PARTITION OFFICE,
NEW DELHI,
24 July 1947

The Steering Committee present their compliments to Mr. M. A. Jinnah, and are directed by His Excellency the Viceroy to request that he will attend a meeting of the Partition Council to be held at The Viceroy's House at 10 a.m.¹ on Saturday, the 26th July, 1947.

AGENDA

1. Procurement of foodstuffs, etc., for the Armed Forces after 15th August, 1947.²
2. Plan of action in the event of possible clashes or disturbances in the neighbourhood of the boundaries between the two dominions—maintenance of law and order in the affected districts.³

3. Allocation of *RIASC Transport Units*.⁴
4. *Location of Naval Headquarters India*.⁵
5. Attendance of Indian Officers of the three services at courses of instruction in the U.K. during reconstitution.⁶
6. Retention in Japan of a portion of the Indian Contingent⁷ of the British Commonwealth Occupation Forces (BCOF).⁸
7. Procedure in the *Steering Committee* for dealing with AFRC decisions.⁹
8. Division of the *Legislative Assembly Department Library*.
9. Report of the *Railway Department Sub-Committee* regarding the interchange of traffic.¹⁰
10. *Reconstitution of Provincial Legislatures* on partition.
11. Stationery requirements of the Pakistan Government for the rest of the financial year 1947-48.

(Papers in respect of all the items are attached).

H. M. PATEL

¹Underlined in the original.

²See F. 127/478-9, QAP. Not printed.

³Sidelined in the original probably by Jinnah.

⁴Underlined here and subsequently in the original probably by Jinnah.

^{5&6}See F. 127/484-93 and F. 127/497-9, QAP. Not printed.

⁷Jinnah had noted the figure 9,000 in the margin and also: "Bring the Indians back. Let the departure of British be delayed."

^{8 & 9&10}See notes 5 & 6 above.

Enclosure 1 to No. 233

F. 127/480-1

[*Extract*]

GOVERNMENT OF INDIA,
PARTITION SECRETARIAT

ITEM 2

Subject: Plan of Action in the Event of Possible Clashes or Disturbances in the Neighbourhood of the Boundaries between the Two Dominions After 15th of August—Declaration of Affected Districts as "Disturbed Areas"

[*Para 1 omitted*]

2. The Steering Committee have considered the matter in the light of the above observations¹ and recommend that—

- a. The Governor of the Punjab should be asked to declare the affected districts as "disturbed area"; and
- b. The Punjab Partition Council should be asked to agree that the Governments of East Punjab and West Punjab would make a similar declaration on the 15th August in respect of portions of the affected districts falling within the respective jurisdiction of the two Governments.

Sir George Spence had observed that "As from 15 the August the present Punjab Act will have effect as an Act of West Punjab and separately as an act of East Punjab, and power to declare an area in West Punjab or East Punjab to be a disturbed area will vest in the provincial Governments of West Punjab and East Punjab, respectively." See F. 127/481, para 1, QAP. Not printed.

Enclosure 2 to No. 233

F. 127/482-4

[Extract]

ITEM 3

ALLOCATION OF R.I.A.S.C. TRANSPORT UNITS
RECOMMENDATIONS OF THE ARMED FORCES
RECONSTITUTION COMMITTEE

Transport units of the R.I.A.S.C. may be either animal transport or mechanical transport.

ANIMAL TRANSPORT

The Armed Forces Reconstitution Committee have accepted the recommendation of the Army Sub-Committee that Nos. 1, 5 and 7 regiments be allotted to Pakistan and Nos. 2, 4, 6 and 8 regiments be allotted to India.

[Para 3 omitted]

MECHANICAL TRANSPORT

The A.F.R.C. accepted the following allocation which represents the unanimous recommendation of the Army Sub-Committee:

	Pakistan	India
General Transport Coys	14	29
Amphibian Coys	1	1
Tank Transporter Coys	1	2
Bridging Coys	<u>1</u>	<u>2</u>
[Total]	17	34
Ambulance Platoons	7*	15

* Four of these platoons are organised as a Motor Ambulance Coy.

[Paras 5 to 11 and sub-para 12 (1) omitted]

2. that of the two mechanical transport training centres now located in Bareilly and Bangalore, the equipment of one should be allotted to Pakistan.

3. that two new record centres should immediately be established, one in each dominion.

[*Para 13 omitted*]

RECOMMENDATION OF THE STEERING COMMITTEE

The Steering Committee recommend confirmation of these decisions.

Enclosure 3 to No. 233

F. 127/494

ITEM 8

RECOMMENDATION OF THE STEERING COMMITTEE ON THE REPORT OF THE LEGISLATIVE ASSEMBLY DEPARTMENT SUB-COMMITTEE OF THE LEGISLATIVE ASSEMBLY DEPARTMENT ON ITEM 1(a) OF THE TERMS OF REFERENCE OF EXPERT COMMITTEE NO. I

An extract from the Legislative Assembly Department's Sub-Committee's report on the division of the Legislative Assembly Department Library, as also Expert Committee No. I's observations thereon, is enclosed.¹ The steering Committee agree with the recommendation that "in cases where there is more than one copy, a spare copy can be made available for the library of the Pakistan Assembly Office without in any way impairing the efficiency of the existing library". It is recommended that action may be taken accordingly.

¹ Annexure I.

Annexure I to Enclosure 3 to No. 233

F. 127/495

No. 1/19/E.C. (I)

GOVERNMENT OF INDIA,
EXPERT COMMITTEE NO. I,
NEW DELHI,
22 July 1947

Subject: Division of the Legislative Assembly Department Library

MEMORANDUM

Expert Committee No. I has been examining the manner in which

the Libraries belonging to the Government of India should be partitioned and a reference on that subject will be made to the Partition Council shortly. In the meanwhile, it has been represented that the Pakistan Constituent Assembly is immediately in need of law books that are available in the Legislative Assembly Department Library. This Committee has accordingly examined the recommendation made by the Legislative Assembly Department Sub-Committee regarding the division of the Library belonging to that Department and it recommends that the Library should be divided in accordance with the recommendations made by that Sub-Committee.¹ A list of the books, reports and other publications that are proposed to be handed over to the Pakistan Government is enclosed.²

2. The approval of the Partition Council to the above proposal is requested.

P. V. R. RAO
M. AYUB
Secretaries

The Steering Committee
H. M. Patel/Mohamad Ali

¹Annexure II.

²Not available in QAP.

Annexure II to Enclosure 3 to No. 233

F. 127/496

EXTRACT FROM THE LEGISLATIVE ASSEMBLY DEPARTMENT'S SUB-COMMITTEE'S REPORT ON THE DIVISION OF THE LEGISLATIVE ASSEMBLY DEPARTMENT LIBRARY

ii. *Library*—Two lists have been prepared of the books, reports and other publications in the Library. In cases where there is more than one copy, a spare copy can be made available for the Library of the Pakistan Assembly Office without in any way impairing the efficiency of the existing Library.

The first list consists chiefly of books on Parliamentary Procedure, Constitutional Law, Constitutional History, and Industrial and Economic Development, Currency, Finance, Banking, War, Disarmament, Shipping and Rail Transport. Some of these works are in two volumes. This list includes some Books of Reference and a Dictionary. (Annexure IV. Not attached).

The second list is one of reports and other publications of which a copy can similarly be spared. It comprises in the main, Reports of

Enquiry of the Indian Tariff Board on various industries; Reports of Royal Commissions such as the Royal Commissions on Agriculture and Labour in India which run into several volumes; Administration Reports and the Reports of various important Committees appointed from time to time in India on multifarious matters. This list includes a complete set of the Debates of the Council of State and the Legislative Assembly from 1921 to 1945 (Annexure V. Not attached).

Enclosure 4 to No. 233

F. 127/500

ITEM 10

RECONSTITUTION OF PROVINCIAL LEGISLATURES ON PARTITION

Copy of a memorandum on the above subject prepared in the Secretariat of the Governor-General (Reforms) is attached. The Steering Committee recommend that:

1. The Provincial Legislature for the new Provinces of East Bengal, West Bengal, and Assam should be unicameral, the existing Legislative Councils for Bengal and Assam being abolished as from 15th August.
2. European territorial constituencies of all Provincial Legislatures be abolished with effect from the 15th August.
3. Special representation be given to European commercial interests in the Legislative Assemblies of West Bengal, East Bengal and Assam in accordance with the proposals made in paragraph 4 of the attached memorandum.¹

¹Annexure.

Annexure to Enclosure 4 to No. 233

F. 127/501-3

RECONSTITUTION OF PROVINCIAL LEGISLATURES ON PARTITION

I. Upper Chamber for the new Provinces

Among the six provinces which at present have an Upper Chamber (called the Legislative Council) are Bengal and Assam. The composition of the Legislative Councils of these two Provinces is as follows:

	Bengal	Assam
Seats filled by direct election	30	18
Seats filled by election by members of the Provincial Legislative Assembly	27	Nil

Seats filled by Governor in his discretion	<u>6</u>	<u>3</u>
Total	63	21

2. If Sylhet joins the new Province of East Bengal, the Legislative Councils of Bengal and Assam will have to be reconstituted to form three bodies, for East Bengal, West Bengal and Assam (minus Sylhet), respectively. Their composition will roughly be as follows:

	East Bengal	West Bengal	Assam
Seats filled by direct election	24	12	12
Seats filled by election by the Assembly	18	9	Nil
Seats filled by Governor	<u>5</u>	<u>2</u>	<u>2</u>
Total	47	23	14

3. Apart from sundry small problems arising in regard to the proper allocation of constituencies extending to parts of two Provinces, it appears ludicrous to have two very small Upper Chambers for West Bengal and Assam consisting of 23 and 14 members, respectively. East Bengal will have a more sizeable Upper Chamber, but on the other hand it will be the only Province in Pakistan having a bicameral Legislature. The position will be practically the same if Sylhet does not join East Bengal, the only difference being that East Bengal will then have 40 members in its Legislative Council and Assam will continue to have the same number of members (21) as at present.

4. It is suggested, therefore, that

- a. the Provincial Legislature for the new Provinces of East Bengal and West Bengal should be unicameral, the existing Legislative Council of Bengal being abolished as from 15th August;
- b. in the event of Sylhet forming part of East Bengal and the necessity consequently arising for altering the constitution of the Assam Legislative [*sic* for Legislature], (but not otherwise), that Legislature should also be made unicameral by abolishing the existing Legislative Council as from the 15th August.

II. *European representation in the Provincial Legislatures*

European representation in the existing Bengal Legislative Assembly consists of 11 members elected from territorial constituencies and 14 members elected as representatives of commerce, industry, mining and planting interests. While 25 seats out of a total of 250 constitute an unduly high proportion, the position gets very much worse in regard to West Bengal if we have to reconstitute the Legislative Assembly of that Province on the existing basis. The total strength of that Legislative Assembly will be 100 or 101, but will have to include all the 14 European representatives of commerce etc. since they come from Calcutta, and the 7 Europeans elected from territorial constituencies in West Bengal. In East

Bengal the position will not be anomalous to the same extent. There will be 4 Europeans returned from territorial constituencies in a House of 150 (or if Sylhet District joins that Province, in a House of 183) members. Even so, the representation will be out of all proportion to the numerical strength of the European community in the Province as a whole.

2. In the event of Sylhet going out of Assam, the strength of the Assam Legislative Assembly will be reduced from 108 to 75, but the European representation, consisting of 7 tea planting constituencies, 1 commerce and industry constituency, and 1 territorial constituency, or 9 in all, will continue as at present. This again will be entirely out of proportion to their numerical strength in the Province.

3. It may be noted here that the Constituent Assemblies which from the 15th August will function as the Central Legislatures for the two Dominions, have no European representation at all. On that analogy there appears to be good justification for abolishing the European *territorial*¹ constituencies of *all* Provincial Legislatures with effect from the 15th August. The wide terms in which section 9 of the Indian Independence Bill is drawn will enable the Governor-General to do so, not only in respect of the split Provinces, but also in respect of those which are unaffected by the Partition.

4. The special representation given to European commercial interests in the Legislative Assemblies of Provinces other than Bengal and Assam is not weighted to any appreciable extent, and may well be left alone during the interim period. As regards Bengal and Assam my proposals are:

1. West Bengal may give 1 seat to the Bengal Chamber of Commerce and 1 seat to the Calcutta Trade Association, Indian Jute Mills Association, Indian Tea Association, and Indian Mining Association, jointly. At present the Bengal Chamber of Commerce returns 7 members and the 4 Associations return another 7 members between them; whereas Indian commercial interests return 5 members. The total strength of the House, if all the above proposals are accepted, will be reduced to 82.
2. East Bengal may have 2 commerce and industry constituencies, one for European interests and the other for Indian interests. Both these will be new constituencies. In a Legislative Assembly consisting of 183 members (or 150 if Sylhet does not form part of the Province) the special representation may be regarded as justifiable.
3. Assam may have 1 seat for European planting instead of the present 7. The existing commerce and industry constituencies (1 European and 1 Indian) may be allowed to continue during the interim period.

¹Underlined here and subsequently in the original.

*Enclosure 5 to No. 233**F. 127/504*

ITEM 11

Subject: Stationery requirements of the Pakistan Government for the rest of the financial year 1947-48

The Steering Committee recommend that the proposals put forward by the Works, Mines and Power Department Sub-Committee for the supply of the stationery requirements of the Pakistan Government be accepted, subject to the modifications¹ suggested by Expert Committee No. I.

¹Expert Committee No. I had made the following modifications: "The Central Stationery Office should meet indents for stationery received from the Pakistan Government from time to time and before the 31st March 1948 up to the limit of Rs. 9,04,000. The Pakistan Government will make payment for the stationery received. In case the stocks held by the Central Stationery Office are divided between the two Governments the maximum limit up to which the Central Stationery Office has to meet the demands of the Pakistan Government will be reduced by the value of the stocks that fall to the share of the Pakistan Government and for which the Pakistan Government will not make any payment." See F. 127/505, QAP. Not printed.

*Annexure to Enclosure 5 to No. 233**F. 127/506-8*

No. PN-45(1)

GOVERNMENT OF INDIA,
DEPARTMENT OF WORKS, MINES AND POWER,
NEW DELHI,
19 July 1947

REPORT OF THE WORKS, MINES AND POWER
DEPARTMENT PARTITION SUB-COMMITTEE REGARDING
STATIONERY REQUIREMENTS FOR THE PAKISTAN GOVERNMENT
FOR THE REST OF THE FINANCIAL YEAR

All Departments and Offices have already been asked to give their corresponding number in the Pakistan Government one month's requirements of stationery from their quota. This report deals with the stationery requirements of the Pakistan Government for a period of 6½ months, i.e. from the 15th September 1947 to the 31st March 1948. The estimate has been prepared under three broad categories:

1. Pakistan Government Secretariat;
2. Central Government offices, including Railways and P. & T., but excluding Military, located in the Pakistan Area which will now go under that Government; and
3. Pakistan Constituent Assembly

These are dealt with seriatim below:

2. PAKISTAN GOVERNMENT SECRETARIAT

This organisation, it is understood, will consist of 300 officers and 4,000 clerks. On the basis of the model scale given in Appendix F to the Stationery Rules,¹ the annual stationery requirements of an organisation of this strength will work out to Rs. 64,500 annually, or Rs. 5,400 a month. Six-and-a-half months' requirements will, therefore, come to Rs. 35,100. The quantity of paper and duplicating ink that will be required for the duplicating work of the Pakistan Secretariat is a special requirement and is not taken into account in fixing monetary allotments for the supply of stationery to the various offices. Their requirements of duplicating paper and ink for 6½ months is estimated at Rs. 2,400 and this is based on 1/5th consumption of these articles in the Delhi Central Duplicating Section, which caters for the needs of almost each and every office and department of the Government of India located at Delhi. The total stationery requirements of the Pakistan Secretariat for 6½ months would therefore work out to Rs. 37,500.

3. OTHER CENTRAL GOVERNMENT OFFICES LOCATED IN PAKISTAN AREA

The total value of stationery supplied by the Central Stationery Office, Calcutta, to all the Central Government Offices (including Railways and P. & T., but excluding Military) located in the Pakistan Area during 1945-46 amounted to Rs. 16,00,000. This figure can safely be adopted as the annual stationery requirement of these offices. Rs. 16 lakh divided by 12 will give the monthly consumption, viz. Rs. 1,33,000. Six-and-a-half months' requirements will therefore be Rs. 8,66,450.

4. PAKISTAN CONSTITUENT ASSEMBLY

The strength of this Assembly is said to be about 100 comprising 70 members and 30 other officers and staff. An indent valued at Rs. 1,203-9-0 for stationery for the Pakistan Constituent Assembly has already been passed on to the Deputy Controller of Stationery, Calcutta, for compliance. The figure of Rs. 1,204 may be adopted as the stationery requirements of the Pakistan Constituent Assembly for the period ending 31-3-1948.

6. Summing up, the total stationery requirements of the whole Pakistan Government would be Rs. 9,05,154 as follows:

- | | |
|--|--------------|
| 1. Pakistan Secretariat, <i>vide</i> para 2 above | Rs. 37,500 |
| 2. Other Departments and Offices
(including Railways and P. & T.,
but excluding Military), <i>vide</i>
para 3 above | Rs. 8,66,450 |

3. Pakistan Constituent Assembly,
vide para 4 above

1,204
Total Rs. 9,05,154

Of this an indent to the value of Rs. 1,204 for the Pakistan Constituent Assembly has already been sent to the Central Stationery Office for compliance. The actual amount of stationery required to be supplied by the Central Stationery Office to the Pakistan Government will be Rs. 9,03,950 or, say, Rs. 9,04,000, and steps will be taken by that Office to comply with the indents received from Pakistan Government from time to time up to this limit.

6. At present, the responsibility for provisioning the stationery requirements of the Defence Services in the country rests with the Defence Department (Director of Military Regulations and Forms). That Department run their own Stationery Depots which receive bulk supplies from the Central Stationery Office. The retail distribution to the various Army units and formations is done by the Depots. The Director of Military Regulations and Forms would therefore be the appropriate authority to frame an estimate of the stationery requirements of the Pakistan Army and he should be consulted in the matter.

NASRULLAH KHAN
R. K. LAKSHMANAN
*Secretaries to the
Works, Mines and Power
Department Sub-Committee*

D. L. MAZUMDAR
A. G. KHAN
B. S. PURI
M. A. MOZAFFAR
S. NEELAKANTAM
M. I. KHAN
*Members of the Works, Mines and
Power Department Sub-Committee*

Expert Committee No. 1

¹Not available in QAP.

234

*M. N. Kotwal to M. A. Jinnah**F. 910/351*

JEHANGIR KOTHARI BUILDING,
BUNDER ROAD, KARACHI,
25 July 1947

Dear Mr. Jinnah,

I have to inform you hereby, that the Sale Deed was duly executed, and presented for registration this day against payment of the balance purchase price of Rs. 1,35,000.¹ The document will be returned by the Registration Office after its due registration which will take considerable time.

As regards the other documents of title, if you so desire, I may forward the same at New Delhi or hand over the same to you at Karachi. I was informed that the property has been taken over by the Pakistan Government and, accordingly, I have taken a letter from the Vendor addressed to the Collector of Karachi regarding payment of the rent as accruing due from 1st August 1947 to you.

Concluding you will please accept my hearty congratulations for being the Governor-General-designate of Pakistan.

Yours sincerely,
M. N. KOTWAL

¹See No. 82.

235

*H. M. Patel to M. A. Jinnah**F. 127/512*

SECRET
No. P.O. 33/PC/47

GOVERNMENT OF INDIA,
PARTITION OFFICE,
NEW DELHI,
25 July 1947

The undersigned is directed to circulate to the Members of the Partition Council for their information a copy of the proceedings, as approved by His Excellency the Viceroy, of the meeting of the Partition Council held on Tuesday, the 22nd July, 1947.

H. M. PATEL

*Enclosure to No. 235**F. 127/513-7*

SECRET

MEETING OF THE PARTITION COUNCIL HELD ON TUESDAY,
THE 22ND JULY 1947, AT 5 P.M.
PRESENT

His Excellency the Viceroy

Mr. M. A. Jinnah

The Hon'ble Mr. Liaquat Ali Khan

The Hon'ble Sardar Vallabhbhai Patel

The Hon'ble Dr. Rajendra Prasad

The Hon'ble the Defence Member (Case Nos. PC/70/8/47 to

His Excellency the Commander-in-Chief PC/47/8/47 only)

The Chief of the Viceroy's Staff

The Joint Private Secy. to the Viceroy

Mr. H. M. Patel

Mr. Mohamad Ali

Brigadier J. G. Elliott (Case Nos. PC/70/8/47 to PC/74/8/47 only)

Mr. Osman Ali

Lt.-Col. V. F. Erskine Crum

CASE NO. PC/70/8/47
TOWED TARGET FLIGHT R.I.A.F.

F. 127/513
[Not printed]

CASE NO. PC/71/8/47
ALLOCATION OF THE INDIAN ELECTRICAL AND
MECHANICAL ENGINEERS

A query was raised as to whether No. 507 Command Workshop located in Ferozepore would be allotted to Pakistan if by the award of the Boundary Commission Ferozepore was included in Pakistan and not in India.

It was agreed that should this happen the question of its allocation would be referred back to the Army Sub-Committee for consideration.

The Council confirmed the decision of the A.F.R.C.¹

CASE NO. PC/72/8/74
ALLOCATION OF THE INDIAN PIONEER CORPS

The Council confirmed the decisions of the A.F.R.C.²

CASE NO. PC/73/8/47

LOCATION OF NAVAL HEADQUARTERS, PAKISTAN

It was explained that the decision related only to Naval Headquarters as the counterpart of the organization now existing in New Delhi.

The Council approved the recommendation of the A.F.R.C.³

CASE NO. PC/74/8/47

PLAN OF ACTION IN THE EVENT OF POSSIBLE
CLASHES OR DISTURBANCES IN THE NEIGHBOURHOOD
OF THE BOUNDARIES BETWEEN THE TWO DOMINIONS

His Excellency said that the list of districts had been drawn up during his recent visit to Lahore by common agreement between the Governor of the Punjab, the G.O.C.-in-C., Northern Command, and the Punjab Partition Committee. The area was of convenient size and included those districts in which trouble might occur.

The suggestion was made that Ludhiana civil district should also be included as, although it was to the south of the boundary areas, it contained a considerable Muslim and Sikh population and was contiguous to other areas where there were large numbers of Muslims. Trouble might, therefore, be expected in this district also.

The Commander-in-Chief said that from the military point of view it was desirable to concentrate the force available in a homogeneous command. Any extension would involve more troops and complicate the plans already worked out for command and administration.

The Council approved the list of districts subject to the addition of Ludhiana if this was agreed to by the Punjab Partition Committee. His Excellency the Commander-in-Chief was requested to send a telegram to the Army Commander to take steps to consult the Partition Committee through His Excellency the Governor of the Punjab.

CASE NO. PC/75/8/47

RECOMMENDATIONS OF THE DEPARTMENTAL SUB-COMMITTEE
(RAILWAYS) OF EXPERT COMMITTEE NO. II

The Council approved the recommendations of the Steering Committee on the report of the Departmental Sub-Committee (Railways) of Expert Committee No. II.⁴

CASE NO. PC/76/8/47

REPORT OF THE FINANCE DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. I ON ITEM 1 (a) (i) OF THE TERMS
OF REFERENCE OF THE EXPERT COMMITTEE

The Council approved the Steering Committee's recommendations on the report of the Finance Department Sub-Committee on item 1 (a) (i) of the terms of reference.⁵

CASE NO. PC/77/8/47
REPORT OF THE COMMERCE DEPARTMENT SUB-COMMITTEE OF
EXPERT COMMITTEE NO. 1 ON ITEM 1 (a) (i) OF THE TERMS
OF REFERENCE OF THE EXPERT COMMITTEE

The Council approved the recommendations of the Steering Committee on the report of the Commerce Department Sub-Committee on item 1(a) (i) of the terms of reference.⁶

CASE NO. PC/78/8/47
FILES REQUIRED BY THE PAKISTAN GOVERNMENT

The Council took note of Expert Committee No. I's memorandum regarding the arrangements to be made for supplying the files required by the Pakistan Government.⁷

CASE NO. PC/79/8/47
RECOMMENDATIONS OF THE STEERING COMMITTEE ON
EXPERT COMMITTEE NO. I'S MEMORANDUM NO. 1/EC(I)
DATED THE 17/19TH JULY, 1947, REGARDING THE DIVISION
OF FURNITURE AND OFFICE EQUIPMENT

The Council approved the recommendations of the Steering Committee on the memorandum of Expert Committee No. I regarding the division of furniture and office equipment.⁸

CASE NO. PC/80/8/47
ISSUES CONNECTED WITH THE PARTITION
WORK IN THE PUNJAB

His Excellency said he had had a very successful meeting with the Punjab Partition Committee. The conclusions reached at that meeting were set out in the note⁹ before the Partition Council. He was glad to say that the Punjab Partition Committee was tackling the problems facing it in a realistic and business-like way.

In the course of discussion, it was explained that the Partition Committee was making postings district-wise purely for administrative convenience and not on the assumption that the Boundary Commission would give its decisions district by district according to their present boundaries.

CASE NO. PC/81/8/47
DRAFT STATEMENT BY PARTITION COUNCIL

His Excellency said the Punjab Partition Committee had expressed their willingness to issue a statement of their own on the same lines as the one which the Partition Council intended to put out. He was particularly happy to be able to report that Sardar Swaran Singh had agreed to be a signatory to that statement. His Excellency said that he had made the suggestion that other party leaders in the Punjab should

also endorse the statement. As regards the statement to be issued from the Centre, he proposed to mention the names of those who were present at the meeting of the Partition Council when the statement was adopted.

The Council approved the issue of the draft statement subject to the following modifications:

- a. the omission of the word "God" occurring in the 10th line of paragraph 2
- b. the insertion in paragraph 5 of the full names of the two brigadiers to be attached to the Military Commander as advisers
- c. the addition of Ludhiana in para 5 if this was considered necessary by the Partition Committee of the Punjab

CASE NO. PC/82/8/47

TEMPORARY PERFORMANCE OF DUTIES OF JOINT DEFENCE COUNCIL BY PARTITION COUNCIL

His Excellency said it was necessary to define the authority to whom the Commander-in-Chief would owe allegiance up to the 15th August in dealing with the disposition of troops and allied questions in those zones in the neighbourhood of the boundaries between the two dominions where he would have operational control. It had already been agreed¹⁰ that the composition of the Joint Defence Council should be: the two Governors-General, (with the G.G. (India) in the chair), the two Defence Members, and the Commander-in-Chief (who would be designated Supreme Commander from the 15th August). All these persons now attended those meetings of the Partition Council when questions concerning the Armed Forces were under consideration. He suggested, therefore, that up to the 15th August the Partition Council should treat itself as the Joint Defence Council (of which the Indian Defence Member and the C.-in-C. would be regarded as members) when such subjects came up for discussion, and that a separate record should be kept of the Council's deliberations on those matters. It would also be necessary to take steps forthwith to constitute the civil secretariat of the Joint Defence Council. The two Joint Secretaries of this secretariat would not, however, attend meetings. In other words, his proposal was that the Partition Council should function temporarily as the Joint Defence Council for the consideration of such items of business until the 15th August when the latter would come into full being.

The Council approved H.E.'s proposal.

¹⁰See Enclosure 2 to No. 199, item 2.

²See Enclosure 3 to *ibid.*, item 3.

³See Enclosure 4 to *ibid.*, item 4.

⁴See Enclosure 5 to *ibid.*, item 5.

⁵See Enclosure 6 (i) to *ibid.*, item 6 (i).

⁶See Enclosure 6 (ii) to *ibid.*, item 6 (ii).

⁷See Enclosure 7 to *ibid.*, item 7.

⁸See Enclosure 1 to No. 215.

⁹See Enclosure 2 to *ibid.*

¹⁰See Enclosure to No. 7, para 7. Also see No. 67.

236

M. A. Jinnah to H. L. Ismay

F. 2/247

25 July 1947

Dear Lord Ismay,

I thank you for your letter of 24th July, enclosing a draft copy of the announcement regarding the Constituent Assembly of Pakistan,¹ and I agree that this announcement should be issued at once.

Yours sincerely,
M. A. JINNAH

Gen. Lord Ismay,
The Viceroy's House,
New Delhi

¹No. 232.

237

M. A. Jinnah to Louis Mountbatten

F. 2/240

25 July 1947

Dear Lord Mountbatten,

I am in receipt of your letter of 24th July¹ and thank you for it. I am glad that Cunningham has agreed to serve as Governor of the N.W.F.P. for one year on the terms suggested by me. Please send him a personal message of welcome.

As regards the list of Governors for Pakistan, I am glad to inform you that Hidayatullah has accepted. As regards Baluchistan, since Weightman has refused, the matter need not be pursued any further. The only alternative is to persuade Prior to carry on until the new Chief Commissioner, or alternatively a Governor is appointed. Therefore, I have no objection to your obtaining the King's formal approval of such of them as I have been able to make arrangements with, namely:

Western Punjab
N.W.F.P.
Sind
Baluchistan

Sir Francis Mudie
Sir George Cunningham
Ghulam Hussain Hidayatullah
Prior to continue

That only leaves East Bengal till we reach finality with Killearn which will be within the next few days.

I need not say how grateful I am to you for the assistance you have rendered to me in selecting these distinguished persons who, I am sure, will serve Pakistan with all their heart and loyalty to the State.

Yours sincerely,
M. A. JINNAH

¹No. 231.

238

*M. A. Jinnah's Interview with the Leader of Coorg State's
Muslim Delegation¹*

F. 1127/1-4, MFJP

25 July 1947

Main points of his advice to Muslims in India:

1. To maintain their identity and individuality
2. The advisability of their adapting themselves to the changed circumstances without sacrificing their identity and individuality
3. Progress and prosperity by advancing themselves educationally and economically
4. Disintegration of the ruling party owing to natural causes
5. The ultimate triumph of Muslims in India as a balancing factor in power politics and the resultant advantages accruing from it

As luck would have it, I was entrusted with the task of leading a deputation on behalf of the Muslims of Coorg on some of their local problems. 25th of July, 1947, was fixed as the date for meeting Quaid-i-Azam at his residence in Aurangzeb Road, New Delhi. After discussing with him some matters relating to Coorg along with the other deputationists, who had accompanied me, I requested Quaid-i-Azam to kindly let me have an exclusive interview with him so that I could discuss with him certain problems facing the Indian Muslims. He was pleased to grant me this privilege and I had the unique honour of sitting at his feet for about an hour. To start with I respectfully addressed the following questions to him, namely:

1. Now that Pakistan has come into being and you are already

appointed Governor-General of Pakistan, it is obvious that we in India will be without your leadership, guidance and advice. Whom shall we look to for such guidance, advice and inspiration hereafter?

Quaid-i-Azam was visibly moved by the question and asked me to go ahead if I had any more questions to ask so that he could answer all of them together.

2. Now that so many of us will be left behind in India, what should be our attitude towards the majority community from whom we differed so much till lately and towards the Government of the country? Have we to change our outlook on life and things like that? In other words how are we to adjust ourselves?

3. What will be the future of Muslims in India as a minority reduced to a still smaller number and what guarantee is there of their safety and security? Quaid-i-Azam was greatly pleased with these questions. He said they are very important questions and that he would gladly answer them.

As regards the first question Quaid-i-Azam said, "Muslims in India have nothing to be afraid of. They will be still several crores in number. They have made many sacrifices along with the Muslims of the majority provinces. It is as a result of the sacrifices made by all of them in India that we have been able to achieve Pakistan. While the Musalmans of the majority provinces will be in a position to wield authority and power and mould their destinies according to their genius, the Musalmans in India have yet to go through a number of ordeals, sufferings and sacrifices. Their future will remain dark for some years to come and thick clouds will be hanging over them. The only way out for them will be to become much more active, much more courageous and work harder than ever before. Trusting in God they should always be up and doing and go forward undeterred by the discouraging circumstances around them.

"What they need first is the correct leadership. If they could find men who are possessed of high ideals and sterling character and men who could understand their difficulties and men who are above board, it will be some consolation to start with. What you have to do is to maintain your identity and your individuality in the first instance. You can adopt [*sic* for adapt] yourselves to the changing circumstances and environment, without sacrificing your identity and individuality. If you sacrifice these two ideals then you will have lost everything, and your survival without this distinction will hardly do any good to you. You can maintain your identity and at the same time serve the best interests of your country. It is only then that your position as a cultural and historic

minority will be recognised and as a minority with these distinctive features, you will be able to compel others to respect you. You should not only assert yourselves but also find a proper place for yourselves, from which you can make yourselves felt. You must also avoid occasions of conflict with the majority community and show by dint of your merit and intellectual capacity that you cannot be ignored under any circumstance.

"As regards your loyalty, you cannot but be loyal to your country. Just as I want every Hindu in Pakistan to be loyal to Pakistan, so do I want every Muslim in India to be loyal to India. There is no other alternative.

"You can be useful citizens of your country in two ways by becoming (i) educationally forward and (ii) economically sound, and thereby making yourselves indispensable to the country.

"To achieve this you have to devote much of your attention to the education of your young men and see that they are well equipped. You should prepare them for technical and professional careers. If you can find means to educate them well and make them work hard, you will make a good beginning. Any country would need such useful young men. See that your men are well trained for taking up any work in any sphere of activity, technical or professional, government or public. See that they are not found wanting in anything so that the country in which they live is proud of them.

"While you make progress educationally, you should at the same time continue your business activities so that you are economically strong. Without this you will not be able to keep pace with the march of events. If you are economically behind others in your country, you will get crippled and you will be relegated to a corner. This is a field in which you can always keep your head erect and command respect from others. For a time there may be factors which may be very discouraging to you but that should not prevent you from going forward with a determination to achieve success in this field which alone will enable you to walk shoulder to shoulder with your fellow-men in your country.

"Sometimes you will have to face worse situations but you must be bold enough to face the difficulties as they come. I assure you that there is no difficulty that you may not overcome. You will certainly emerge triumphant from any ordeal, however trying.

"Disintegration is bound to set in at some stage or the other because of lack of homogeneity in the ruling *junta*. If you are well equipped educationally you will catch the opportunity by the forelock and hit the bargain politically. Just then you will be awakened to your potentialities and aspirations and appear again on the scene as a balancing factor in the power politics. You will then have nothing to lose but

everything to gain. You will be a power to be reckoned with and the majority community or the powers that be will find it impossible to run the administration of the country without your help and co-operation and you will have a larger slice of share in the authority and power which were denied to you [for] so long. The blessings to you will be all the greater [sic]. It is at this psychological moment that all the major problems with which you were confronted will be solved in a friendly atmosphere. However big or great your problems, don't run to solve them with a hammer in your hand. You must have the sagacity and wisdom to solve them at an opportune time when circumstances are more favourable. It is only a question of time, may be ten years or twenty years. You will then breathe a sigh of relief, so I advise you to take things calmly and coolly. Be always up and doing.

"You must work with zeal and enthusiasm, however much you may feel crushed for the time being. Worse coming to worst, you will have a homeland in Pakistan which will give you a shelter whenever you need it. What is more, there will be adjustments between the two countries and there will be territorial safeguards for the protection of minorities on either side. All that you have got to do is to find the correct leadership in India, which will guide you and take you through your ordeals smoothly without involving you in a conflict with the powers that be and provide opportunities for you to develop educationally and economically. Cautiously and zealously guard your interests till you have passed through this critical period.

"So long as I am alive I shall watch with great interest, care and anxiety your struggles in India, your interests and your future. I shall pray that God may come to your succour in times of your difficulties and be with you to lead you to prosperity and happiness. Your sacrifices in the making of Pakistan are great. How can we ever forget them or forget you? You and your sacrifices will always be in my thoughts and feelings. May God be with you. Good-bye."

¹The document contains the following note:

"My last but momentous interview with the late lamented Quaid-i-Azam M. A. Jinnah of revered memory (peace be on his soul), and my conversation with him on the future of Muslims in India on the 25th July, 1947 at 10 Aurangzeb Road, New Delhi (15 days prior to his departure to Karachi as Governor-General of Pakistan)". Name of the leader of the deputation is not traceable.

239

*M. A. Jinnah to Eric Mieville**F. 2/253**25 July 1947*

Dear Sir Eric Mieville,

I am in receipt of your letter of 20th July 1947¹ and I thank you for it.

I have carefully considered the matter and I regret to say that it is not possible for me to meet Abdul Ghaffar Khan and discuss an agreement on the basis reported to you by the Governor of the N.W.F.P. I am sure you will see that all these matters can only be dealt with by the Constituent Assembly of Pakistan who will frame the constitution for the Pakistan Federation. It is obvious that I cannot negotiate with any section or party over the head of the Constituent Assembly. Besides, I have no power to commit the Constituent Assembly in advance or anticipate their final decisions.

Yours sincerely,
M. A. JINNAH

Sir Eric Mieville,
The Viceroy's House,
New Delhi

¹No. 202.

240

*M. A. Jinnah to Louis Mountbatten**F. 2/245**25 July 1947*

Dear Lord Mountbatten,

With reference to your letter of 16th July,¹ as I had already indicated that the appointment of Sir Laurence Grafftey-Smith as High Commissioner for United Kingdom to Pakistan is acceptable to me and now I formally confirm it.

Yours sincerely,
M. A. JINNAH

¹No. 168.

241

*M. A. Jinnah to Louis Mountbatten**F. 2/243*

25 July 1947

Dear Lord Mountbatten,

I am in receipt of your letter of 23rd July 1947¹ and I thank you for it.

I confirm that Lieutenant-General Sir Frank Messervy shall be the Commander of the Pakistan Army, and Commodore Jefford, the Rear Admiral commanding the Royal Pakistan Navy, and I accept the name of Air Vice-Marshal A.L.A. Perry-Keene as Air Vice-Marshal, to command the Royal Pakistan Air Force.

I need not say how grateful I am to you for the assistance you have rendered to me in selecting these distinguished officers, who, I am sure will serve Pakistan with all their heart and loyalty to the State.

Yours sincerely,
M. A. JINNAH

¹No. 224.

242

*M. Ismail Khuraishy to K. H. Khurshid¹**F. 886/272-3*

21 MIR BAKSHI ALI STREET, ROYAPETTAH,
MADRAS,
25 July 1947

Dear Sir,

In the name of God the most Merciful and Beneficent, if it pleases you, I request that this sample for our Pakistan Government flag² be submitted on my behalf to our most dear *A'la Hazrat* the Quaid-i-Azam Mohammad Ali Jinnah, His Excellency the Governor-General designate of Pakistan, for his kind observation. May God bless our most dear Quaid-i-Azam with long life, health, wealth and prosperity for our sake.

I selected this type of "rainbow" colour flag with the inset of the crescent in it because it is the natural sign of God in the shape of "rainbow" appearing at times on the sky as a sign of prosperity. Secondly, because these colours are component parts of the sun's rays which is also

the sign of God. All appear in the sky. Pakistan stands for the rays of the sun and the different colours represent several communities inhabiting Pakistan and the crescent which is the symbol of Islam stands for peace and progress and prosperity. In short, both the "rainbow" and the "crescent" are signs of God appearing on the sky as His signs for good.

Yours most sincerely,
M. ISMAIL KHURAISHY

¹The addressee has not been indicated; the letter was perhaps addressed to K. H. Khurshid.

²Not available in QAP.

243

M. A. Jinnah to Sajjada Nashin, Sial Sharif

F. 579/125

25 July 1947

My dear Pir Sahib,

I am in receipt of your letter dated 17th July 1947,¹ and I thank you for your good wishes.

I have noted your suggestions stated in your letter and they will certainly have my very careful consideration.

Thank you again.

Yours sincerely,
M. A. JINNAH

Hazrat Moh[amma]d Qammaruddin Sahib,
Sajjada Nashin, Sial Sharif,
Dist[ric]t Shahpur [Sargodha]

¹Enclosure to No. 188.

244

M. Gul Mohammed to K. H. Khurshid

F. 921/176-7

KUCHA MUSTAQEEM, HABIBGANJ,
LAHORE,
25 July 1947

Daulat-i-Jamhuria Pakistan Zindabad!

My dear Khurshid,

Assalaamo 'Alaikum. Now when Muslim India has achieved its goal

to a very great extent, it is the turn of the Muslims of Kashmir that their case should be taken up with [sic] great earnest now. It is no secret that so far [as] the leadership of Kashmir is concerned, we cannot boast of an unpurchasable and incorruptible leader. So far as Sheikh Abdullah is concerned, his case is as clear as daylight. He is all in all in the enemy's camp. His lieutenants and co-workers, however, are not all bad. There are some intelligent people in his camp who even today are willing to join hands with those who may have a great good in heart [sic] for the State Muslims. So far as the Muslim Conference is concerned, it has failed to give a proper lead to the Muslim masses who are literally gasping [sic] for the same. There is no organisation and no working plan with this body. Of course its members as well as the high command know very well how to play with the sentiments of the public. It is only the connection of this body with the Muslim League that at times some importance is given to it by the public. The recent election fought between Ch. Hamidullah and Sh[eikh] Amin was won for [sic] Ch. Hamidullah simply on this issue. Otherwise the true opinion of the public was in favour of Sh[eikh] Amin and against Ch. Hamidullah who had never been liked or sincerely trusted by the public. The same is the case with him today.

Under the above circumstances, I would ask you to spare a few moments for your motherland and give us some guidance as to which procedure we should adopt so that without harming anybody we may at least be able to achieve the fundamental rights of a human society. If possible, please convey my sincere good wishes and *salaam* to Quaid-i-Azam and [his] sister. Perhaps, they will remember me if you were to tell them that in 1944, I met them twice in their houseboat mooring near convent garden while I was in the State service then working as a Municipal Engineer at Srinagar.

With kindest regards,

I am,
Yours very sincerely,
M. GUL MOHAMMED

245

*M. A. Jinnah to Patrick Spence**F. 4A/2**25 July 1947*

Dear Sir Patrick,

I am in receipt of your letter of July 17th² and I was waiting to get the draft terms of reference before I could send you names on our behalf of your colleagues on the Arbitration Tribunal. But I understand that the terms of reference are not yet ready. But if you so desire, I shall try and let you have the names earlier.

Yours sincerely,
M. A. JINNAH

Sir Patrick Spence,¹
Chief Justice of India,
Federal Court,
New Delhi

¹Sic for Spence.²No. 182.

246

*Nawab of Amb to M. A. Jinnah**F. 689/5*

SHERGARH (AMB STATE),
P. O. OGHI, HAZARA DISTRICT, NWFP,
25 July 1947

My dear Quaid-i-Azam,

I am very grateful to you for your letter of the 16th July 1947.¹ I am glad that the [NWFP] Referendum has ended in our victory, and I venture to congratulate you for it most sincerely. I take it as yet another personal triumph for you in the long series of remarkable battles that you have fought for the Muslim nation almost single-handed, and which it will always remember with gratitude.

I am afraid the success in the Referendum² is perhaps not the end of our problem in the Frontier, where all sorts of machinations of the enemy camp are in full swing. The Frontier situation will require your

personal attention and judicious handling, and given this, I have no doubt, that all the hurdles will be crossed.

I am looking forward with eagerness to the 15th of August and to your installation as the head of the Pakistan State, when we will have the actual realization of our fondly cherished dream. May you live long and happily to see your heroic efforts rewarded in the Pakistan State attaining its full glory as the premier sovereign Muslim State under your wise and able guidance.

I shall be sending my representatives to meet you at Karachi after the 15th of August.

With best wishes,

Yours sincerely,
M[UHAMMAD] FARID

¹No. 166.

²The referendum was held from 6 to 17 July 1947.

247

M. A. Alavi to M. A. Jinnah

F. 209/2

7 CIRCUS AVENUE,
PARK CIRCUS, CALCUTTA,
25 July 1947

Dear Mr. Jinnah,

Herewith I am enclosing 10 copies of "Pakistan Constitution" which was submitted before the Muslim National Academy of India at Calcutta. It contains some suggestions for the Constitution of Pakistan which would be framed by the Constituent Assembly. If you find it useful kindly pass on the other copies to some of the members of the Constituent Assembly.

Further, the Muslim National Academy of India has empowered me in its last meeting to congratulate you on your appointment to the exalted post of the Governor-General of the Pakistan State. Please accept the same and oblige.

Yours sincerely,
M. A. ALAVI
S/O AZHAR ALI
ex-MLA, Lucknow

Enclosure to No. 247

F. 764/42-7

THE PAKISTAN CONSTITUTION
BY
M. A. ALAVI¹

Considering the fact that the Pakistan State would consist of two sectors, viz. the western provinces including the Provinces of the North Western Frontier, Baluchistan, the Punjab and Sind in the western zone and the eastern sector consisting of the Provinces of Bengal as demarcated by the Boundary Commission including the Sylhet District from Assam, forming the western [*sic* for eastern] zone, there would be in all at least 5 Provinces of India [*sic* for *Pakistan*] for which some scheme of constitution is to be devised. This constitutional machinery is to be of such a character that it should suit all the units independently as well as interdependently. The interest of each state having its own peculiar culture, traditions, language, civilization and national characteristics must not only be fully protected but that the fullest scope for their individual and independent development should be guaranteed within their own spheres. Side by side in their foreign relations as well as *interse* there should exist one common policy, to which they should submit, controlled and directed by the Pakistan centre. For this purpose the Commonwealth of Pakistan should be established consisting of the various Republics of the Eastern and Western states.

In order to achieve this object the following recommendations are made:

1. That the Pakistan State as a whole should be called the Commonwealth of Pakistan consisting of the Eastern and the Western groups of states.
2. That the form of government in each State or Province constituting the Commonwealth of Pakistan would be republican.
3. That the fundamental rights are [*sic*] as follows:
 - a. That the Pakistan Constitution derives its powers from the Muslim masses and classes, and others, that is the people of Pakistan who can make, unmake and alter the constitution by expressing their will in the manner herein prescribed.
 - b. That all Pakistan citizens are equal before the law and God, as such there shall be no privileges of ranks, birth, persons' family or classes in the constitution. That all can claim equal justice in the courts of law in the same manner.

-
- c. That the rights of the citizens of the Pakistan State are guaranteed irrespective of their nationality, race, religion, political views in all fields of economic, social, political, religious life and will remain an irrevocable law.
 - d. That citizens of the Pakistan State are guaranteed freedom of speech, freedom of the press, freedom of assembly and meetings and freedom of street demonstration.
 - e. That the citizens of the Pakistan State have the right to work and the right to receive guaranteed work with payment according to its quantity and quality.
 - f. That the citizens of the Pakistan State must have the right to rest and this must be ensured by the reduction of working day to 7 hours; provision for annual holidays with pay for workers and employees.
 - g. That sanatoriums and rest houses and clubs for workers and labourers and other classes of people should be established by the State for rest, recreation and improvement of health of the people of the Pakistan State.
 - h. That the right to material security in old age as well as in the event of sickness and loss of capacity to work must be ensured by the Pakistan State by the development of the social insurance of the workers, employees and other classes of working people at the expense of the State and free medical aid under provision of health resorts for their use must be made.
 - i. That the citizens of the Pakistan State must have the right to education. The State must provide for universal compulsory elementary education free of charge, as well as higher education, by the system of stipends for the great majority of students in the higher schools, colleges or universities.
 - j. That women must be accorded equal rights with men in all fields of economic, cultural, social and political life. They should have the same right to work and rest, payment for work, social insurance and education. They should enjoy, in addition, state protection of the interests of mother and child; maternity leave with pay and advantages of a wide network of maternity homes, nurseries and kindergartens.
 - k. That the system of clientage in vogue in Arabia during the Holy Prophet's [PBUH] time and even later should be introduced in the Pakistan State. Every non-Muslim citizen should be attached to any Muslim family, that is to say he should become an ally of any Musalman living in Pakistan,

thereby gaining the same status, and the same right of citizenship as any Musalman himself. Thus a non-Muslim would become the client or *moula* [sic] of a Muslim. He would possess the status of a Musalman born in the Commonwealth of Pakistan.

- l. That a poor tax on a graduated scale must be raised by the State and made compulsory on all the earning members of the State and this amount should be looked after by a special officer of the State.
- m. That all the land should be acquired by the State and distributed to farmers, cultivators and labourers and cooperative societies by a system of rotation, of each holding changing hands after every 3 years, good and bad land all being given to every labourer or farmer of society in turn (as was done in Hazrat Abu Bakar's days).
- n. That Muslims or non-Muslims i.e. *Zimmies* or protected people, if they accept the clientage of any Muslim, must be equally benefited by the rules relating to the land distribution or other means of production. A land tax may be levied from [sic] both equally. But a non-*Zimmie* should pay *kharaj* (*tributum soli*) if he is not an ally.
- o. Complete freedom of conscience and worship be allowed to all Muslims and non-Muslims but in no case should propaganda for heresy and atheism be permitted in the Commonwealth of Pakistan.
- p. That the Muslim masses and classes, and the heads of the Muslim Government all derive their rights, powers, and privileges from the Holy *Qur'an* as expressed and interpreted by the great scholars or *Mohaddisin* of Islam, whose authority has been accepted by the Musalmans all over the world, (which is called the consensus) and is known in common parlance as the *Shari'at-i-Islam*, shall be the foundation and source of all Muslim action, whether individually or collectively, within the Commonwealth of Pakistan, and no law or action which is contrary to or passed against the fundamental principles of the *Shari'at-i-Islam* shall in any way be binding on the Muslim subjects of the Pakistan Government.
- q. That the source of *Qur'anic* Law is God Almighty, the great Creator and man His Vicegerent or *Naib* on earth, and therefore the duty of the Musalman is to see that *Hukumat-i-Ilahi* or reign of the Lord should be supreme on earth, and to carry out this intention of the Great Creator he must govern and be governed according to the law of the *Qur'an*.

- r. That in no case should the sanctity of the *Qur'anic* law be violated, and no subject of the State should be openly allowed to indulge in drinking, gambling, prostitution, usury, and other such acts which come within the definitions of the words *nahi'anil munkar*.

The Chief Executive officials of the Pakistan Government should be appointed on the model of the Swiss Government where they are not like the members of an all powerful cabinet dominating the Legislature and through it the country, but should be merely highly placed public servants, holding their office for a definite period of 3 to 4 years at the most, and discharging the duties, assigned to them under the direct eye of the elected representatives of the people.

The head of this executive Government may be designated the President or Quaid-i-Azam like the caliph of the Commonwealth of Islam, and he may be assisted by the Council of Elders composed of the principal companions of the present Quaid-i-Azam and they may be assisted by a cabinet consisting of the various representatives of the different units that constitute the Pakistan State. This method would be almost on the model of the Commonwealth of Islam of the Holy Prophet's [PBUH] days.

THE PRESIDENT OR THE QUAID-I-AZAM

Cl. [Clause] A. The President of the first Pakistan Commonwealth should be the present Quaid-i-Azam for his life [sic], and after him the President should be elected by all the citizens of the Pakistan State, according to the rules of election hereafter prescribed.

Cl. B. The President or Quaid-i-Azam as distinct from the Caliph of Islam would not be the religious head but only the temporal head of the Pakistan State yet all the officers, whether religious or temporal, how high-soever [sic], would be under the President.

Cl. C. The President of the Commonwealth of Pakistan should be elected after every 3 years. No President should be allowed to continue after 3 years, but a person can stand for re-election where once the office has been held by another person for one term in between, excepting in very special cases where the people decide as provided in the rules framed hereafter.

Cl. D. The President shall be the Supreme Commander of the Pakistan State and its Army, Navy, Air Force, and of the entire state machinery, together with its finances and full resources, and shall be responsible and accountable to the people of the Pakistan State, who alone will have the power to call him back by a general referendum when he fails to carry out the wishes of the entire nation exhibited by the result of the referendum, for which rules will be framed hereafter.

Cl. E. The President would be the supreme head of the State and shall preside over the Council of Elders as well as the meetings of the cabinet, whom he is bound to consult and his orders shall be final in all matters.

Cl. F. The Council of Elders may be selected by the President or Quaid-i-Azam to advise him only on matters of high policy without any executive or legislative authority, but the cabinet must possess all executive and administrative powers to carry out the orders of the President, whom it should advise in all matters of the State.

The Cabinet may select its Chief Minister from its own group, who may be called the Prime Minister or *Vizier Moazzam* for a period of 3 years. He should remain accountable to the President, the cabinet and the electorate.

Cl. G. The duties of the President and his rights and privileges shall be mentioned in detail in the Rules of the State which would be published from time to time hereafter. This will also include the duties of the Chief Minister and his Cabinet.

THE SENATE OR THE MAJLIS-I-A'ZAM

The Senate of the Commonwealth of Pakistan should be established on the model of the Australian Senate which follows the United States, which is truly the federal form.

Each State or Republic constituting the Commonwealth of Pakistan shall send 6 members to the central Senate, the total strength of whose membership shall be 36. No original state shall have less than 6 senators. The tenure is 3 years.

The senators may be directly chosen by the people in each state voting as one electorate.

The franchise must be universal and the qualification for the senator shall be the same as that of the lower house of representatives. The full rules for election shall be framed hereafter. The Senate should be a co-ordinate branch of the commonwealth parliament or the house of the representatives popularly understood as the lower house.

THE PAKISTAN PARLIAMENT OR MAJLIS-I-SHOORA OR MUQANNINA

The Lower House or the *Majlis-i-Shoora* or Parliament of the Pakistan Commonwealth or house of representatives should be directly elected by the people mostly in single number constituencies.

The number of the representatives should be on the [basis of] population of each unit constituting the Commonwealth. The number of the members of the *Majlis-i-Shoora* shall be as nearly as practicable twice the number of the senators in order to enable the will of the Lower House to prevail against that of the Senate in any joint conference.

Franchise and qualifications for membership shall be the same as those for the Senate. Voting must be made compulsory. Election should

be direct and voting should be secret. An absolute majority should be required to declare a candidate duly elected. All citizens above the age of 18 should have the right to vote.

Candidates should not offer themselves but should be put forward for election according to the electoral districts. The right to put forward candidates should be confined to recognised political parties or social organization like the trade unions, co-operative societies, etc. Every *Majlis* [sic] or elected representative of the Pakistan Parliament should be obliged to render account to the electors, or his party, of his work at least 4 times in a year, and he may at any time be recalled in the manner established by law upon the decision of a majority of the electors.

The principle of the composition of the Legislature should be that the Senate or *Majlis-i-A'zam* should represent the people of the Commonwealth, while the Parliament or *Majlis-i-Shoora* should represent the national Legislature.

The chairman and 2 vice-chairmen elected by each chamber in the Senate (*Majlis-i-A'zam*) and the Parliament or *Majlis-i-Shoora* should direct its session and regulate its internal arrangements.

ELECTION

Every citizen of the Pakistan State or Republic as the case may be has the right to elect and be elected to any elective post or office irrespective of race or nationality, his religion, educational qualification, his social origin, property, status and past activity.

Women have the right to elect and be elected on equal terms with men.

THE JUDICIARY

The Supreme Court of the Pakistan Commonwealth should be the ultimate court of appeal upon questions of interpretation with regard to the terms of the Constitution. The validity of the laws passed by the Commonwealth Parliament or by a State Legislature may therefore be tested in the Federal Court. Cases of constitutional conflicts between the States or between the State and the Federal Government may also come before the Federal Judiciary.

The Supreme Court of Pakistan will perform the functions of the British Privy Council as well as the Indian Federal Court.

The jurisdiction of the Supreme Court of the Pakistan Republic shall extend to all the state republics that have originally founded the Pakistan State, or would join in the Commonwealth hereafter.

The Judges of the Supreme Court and those of the High Courts should not be selected but elected by the *Majlis-i-Shoora* which should elect more than 2 candidates for a judgeship, the final selection then of the judges of the Supreme Court must be left to the Council of Elders on whose advice

the President or the Quaid-i-Azam should appoint them for a period of 5 years and not more, ordinarily. But the President may extend the period in special cases when special circumstances require the same.

The judges of the Republican High or Superior Courts may be similarly elected by the local *Majlis* or Legislature subject to the final confirmation of the President of the Republic on the advice of the Chief Justice *Hakim-us-Shara'* or the grand *Kazi*.

The Supreme Court of the Pakistan Commonwealth will be the highest judicial organ. It would be charged with the supervision of the activity of all the judicial organs of the Commonwealth and the republics.

The court proceedings should be conducted in the language of each area, persons not knowing the language of any place shall be allowed an interpreter and also be given the right to address the court in his vernacular.

ARBITRATION PROVISIONS

In cases where the law of a State would be inconsistent with a law of the Commonwealth the latter shall prevail, and the former shall, to the extent of inconsistency, be invalid.

Such cases may be tried in arbitration courts, specially created and the final appeal must lie to the Supreme Court. Cases of industrial disputes, railway cases, all involving questions of rights and jurisdiction between states and states shall be tried by the arbitration courts.

REVISION AND AMENDMENT IN THE CONSTITUTION

An amendment to become law must be approved by a majority of electors voting in the whole Commonwealth, and by a majority of the States, the vote of each State being decided by the majority of its electors. No republic/state may be deprived of its proportionate representation in either House of Parliament, *Majlis-i-Shoora* or of its minimum number of members in the house of representatives (*Majlis-i-A'zam*) without the consent of the majority of its electors.

To sum up no amendment of the Constitution may be made unless it be with the consent of electorate and the States.

The right of revision of any law passed by the Commonwealth Government or by any republic state must vest in the people of the Commonwealth as well as the republic state concerned. The people may on the Swiss model apply by a general petition to the Central Legislature of the Pakistan Government or to the Legislature of the Republic so concerned according to the rules of revision so laid down hereafter, and get the unwanted law so removed from the statute book.

Both the method of the referendum and the initiative in vogue in the Swiss Cantons may be adopted in the Pakistan State Constitution as well as its Republics.

THE REPUBLICS

Each Republic of the Pakistan State must adopt the model of the Swiss Cantons, and use the method of referendum and the initiative in making or repealing any law that may not be in the interest of the people or that may in any way be derogatory to the interest of the State or its people.

Each republic/state may fashion itself on the model of the Pakistan State minus the residuary powers possessed by the Commonwealth State at the centre of Pakistan.

Each republic to be under a governor or president as the case may be who should be elected by the people of each republic, according to the rules of the election hereinafter framed. Each republic shall be a free state within its own territories confederating with the Pakistan republics for purpose of confederation on matters of foreign policy relating to armed forces of the Pakistan State, declaring general or partial mobilization, ratification of international treaties, appointments of or recalling of plenipotentiaries, or representatives of the Pakistan State to foreign countries or in accepting the credentials of foreign diplomatic agents, etc.; or all other such matters that would arise between the states *inter se* or any republic and the Pakistan Commonwealth itself.

The autonomous position of each state shall be defined in the instrument containing the treaty rights.

INTERNAL ORGANIZATION OF THE REPUBLIC

The several branches of the Republic's administration should be divided into the following departments:

1. Defence—Army, Navy, and Air Force
2. Foreign Affairs
3. Foreign Trade
4. Railways
5. Communication
6. Water, Electricity, Hygiene
7. Heavy Industry and Commerce
8. Land Distribution and Farming Co-operation
9. Labour and Capital
10. Judicial
11. Education, Health
12. Agriculture and Mines

Each department may be placed under the charge of a people's commissar on the Soviet model who should be elected for a period of 3 years by the people, and be accountable to the people or party who has elected him.

The republics shall have the right to secede if they so desire by a general referendum of the people.

The republics shall have the right to make their own laws within their own states free from any outside agency but not in any way conflicting with the laws of the Commonwealth.

Note. The above mentioned suggestions were made at a meeting of "The Muslim National Academy of India" in the form of a paper, submitted at the said Academy, by its author who is the President of this Academy.

¹Advocate, Calcutta High Court.

248

Fida Hosain to M. A. Jinnah

F. 1123/1

NAGPUR,
25 July 1947

Quaid-i-Azam,

My most respectful congratulations on the emancipation of seven crore Muslims from the Hindu bondage. I believe you are equally determined to liberate the three crore remnant Muslims now at the mercy of the Hindu brute majority.

I enclose herewith a copy of a draft constitution for Pakistan¹ which I have framed. The foreword explains the purpose and the design.

Hope it will prove useful.

Yours most respectfully,
FIDA HOSAIN
Advocate

¹See F. 1123/7-82, QAP. Not printed.

Enclosure to No. 248

F. 1123/5-6

FOREWORD

This draft constitution is intended to help the framers of the Pakistan Constitution.

Parallel provisions from the Constitution of the U.S.A., Switzerland, England and Russia are cited at the end of each part of the draft to facilitate immediate comparative study and evaluation.

In framing the draft, two principles have been observed. Firstly, to make [a] strong centre, exclusive jurisdiction is conferred on the Pakistan Federation over certain subjects and overriding power is given to the Centre, where the subjects are common to the Pakistan Federation and the individual Islamic States. Secondly, to maintain sovereignty of the individual Islamic States, the right to federate voluntarily and withdraw freely from the Federation is reserved to the individual States. It is not the location of the maximum power or residuary power in the centre or the periphery which makes the association or its members sovereign. "The final test in all cases is, as has been said so many times, power or lack of power of the individual state to determine the extent of its own obligation under the articles of Union and in the last resort if their view is not acquiesced in by the general Government to withdraw from the Union".¹

It is for the Pakistan Constituent Assembly to determine the advisability of adopting these principles and the provisions of the draft embodying them. It will be seen from the analogous constitutional law cited, that the British, Swiss, and Russian Constitutions concede the right of cessation to the members of the Federation. The American Constitution of 1787 was a crude document drawn up by the representatives of some States and acquiesced in by other states with additions and amendments. In 1862 the Southern States claimed right of withdrawal which was denied by the Centre. Civil war followed. The Centre was victorious and imposed its will on the States and the right to secede was negatived. The reservation of the right to secede has not made the British, Swiss or Russian Federation a loose Centre.

A definite division of many subjects made common in this draft to the jurisdiction both of the Federation and Members, involves overlapping. This sort of running of one subject into another is the drawback in the clear-cut division lists of the Government of India Act, 1935. This merger is avoided by making many subjects common both to the States and the Federation. The provisions as to the primacy of the Federal law laid down in this Constitution will resolve the conflict if part of the same field is covered by legislation enacted in both the jurisdictions.

It is hoped that the draft will be useful to the constitutional legislators.

¹Willoughby, *Public Law, Tagore Law Lectures*, 202.

APPENDIX I

CORRESPONDENCE RELATING TO THE INDIAN
INDEPENDENCE BILL

I. 1

*The Earl of Listowel to Louis Mountbatten**Telegram, L/PO/6/122¹*

MOST IMMEDIATE/PRIVATE

INDIA OFFICE,
1 July 1947, 2.25 am,
Received: 1 July, 8.50 am

[No.]74. Your private telegram 1600-S.² Proviso to Clause 5(1). I cannot yet give you final answer on this since His Majesty's pleasure has to be taken and there has not yet been time to do so. Our provisional views are however as follows. We should have no objection to proviso being re-drafted as follows:

Begins: Provided that unless and until provision to the contrary is made by law of the Legislature of either of the new Dominions, the same person may be Governor-General of both the new Dominions. *Ends.*³

2. It might however be better to try out proviso as it now stands. It may conceivably be more acceptable to leaders in this form since it obviates the necessity for them to offer advice to the Crown that you should remain as Governor-General which they might find embarrassing though I appreciate that if they offer such advice your position would be fortified.

3. If nevertheless you feel that proviso you recommend, redrafted as above, is definitely preferable you might hint that you would be willing to suggest modification in this sense for consideration of H.M.G., but if you take this course you must not commit yourself too far in view of fact that H.M.'s pleasure is not yet known.⁴

¹No. 440, *TP*, XI, 808.

²In order not to give the impression of having imposed himself on the political parties in case of his continuing as Governor-General of both the Dominions, Mountbatten had suggested that the proviso to Clause 5 be amended to read "provided it shall be lawful for one person to hold both appointments of Governor-General for such period as may be determined by either Dominion after the 15th August". The proviso as amended was eventually incorporated in the Bill. See No. 366, *TP*, XI, 674-5.

In framing the draft, two principles have been observed. Firstly, to make [a] strong centre, exclusive jurisdiction is conferred on the Pakistan Federation over certain subjects and overriding power is given to the Centre, where the subjects are common to the Pakistan Federation and the individual Islamic States. Secondly, to maintain sovereignty of the individual Islamic States, the right to federate voluntarily and withdraw freely from the Federation is reserved to the individual States. It is not the location of the maximum power or residuary power in the centre or the periphery which makes the association or its members sovereign. "The final test in all cases is, as has been said so many times, power or lack of power of the individual state to determine the extent of its own obligation under the articles of Union and in the last resort if their view is not acquiesced in by the general Government to withdraw from the Union".¹

It is for the Pakistan Constituent Assembly to determine the advisability of adopting these principles and the provisions of the draft embodying them. It will be seen from the analogous constitutional law cited, that the British, Swiss, and Russian Constitutions concede the right of cessation to the members of the Federation. The American Constitution of 1787 was a crude document drawn up by the representatives of some States and acquiesced in by other states with additions and amendments. In 1862 the Southern States claimed right of withdrawal which was denied by the Centre. Civil war followed. The Centre was victorious and imposed its will on the States and the right to secede was negatived. The reservation of the right to secede has not made the British, Swiss or Russian Federation a loose Centre.

A definite division of many subjects made common in this draft to the jurisdiction both of the Federation and Members, involves overlapping. This sort of running of one subject into another is the drawback in the clear-cut division lists of the Government of India Act, 1935. This merger is avoided by making many subjects common both to the States and the Federation. The provisions as to the primacy of the Federal law laid down in this Constitution will resolve the conflict if part of the same field is covered by legislation enacted in both the jurisdictions.

It is hoped that the draft will be useful to the constitutional legislators.

¹Willoughby, *Public Law, Tagore Law Lectures*, 202.

APPENDIX I

CORRESPONDENCE RELATING TO THE INDIAN
INDEPENDENCE BILL

I. 1

*The Earl of Listowel to Louis Mountbatten**Telegram, L/PO/6/122¹*

MOST IMMEDIATE/PRIVATE

INDIA OFFICE,
1 July 1947, 2.25 am,*Received: 1 July, 8.50 am*

[No.]74. Your private telegram 1600-S.² Proviso to Clause 5(1). I cannot yet give you final answer on this since His Majesty's pleasure has to be taken and there has not yet been time to do so. Our provisional views are however as follows. We should have no objection to proviso being re-drafted as follows:

Begins: Provided that unless and until provision to the contrary is made by law of the Legislature of either of the new Dominions, the same person may be Governor-General of both the new Dominions. *Ends.*³

2. It might however be better to try out proviso as it now stands. It may conceivably be more acceptable to leaders in this form since it obviates the necessity for them to offer advice to the Crown that you should remain as Governor-General which they might find embarrassing though I appreciate that if they offer such advice your position would be fortified.

3. If nevertheless you feel that proviso you recommend, redrafted as above, is definitely preferable you might hint that you would be willing to suggest modification in this sense for consideration of H.M.G., but if you take this course you must not commit yourself too far in view of fact that H.M.'s pleasure is not yet known.⁴

¹No. 440, *TP*, XI, 808.

²In order not to give the impression of having imposed himself on the political parties in case of his continuing as Governor-General of both the Dominions, Mountbatten had suggested that the proviso to Clause 5 be amended to read "provided it shall be lawful for one person to hold both appointments of Governor-General for such period as may be determined by either Dominion after the 15th August". The proviso as amended was eventually incorporated in the Bill. See No. 366, *TP*, XI, 674-5.

³In his telegram No. 76 of 1 July, Listowel informed Mountbatten that the amended version of the proviso was acceptable to the King and asked whether it should be included in the Bill. In his telegram No. 1686-S of 2 July, Mountbatten expressed his unwillingness to accept the proviso until he knew "whether Jinnah will invite him to be Governor-General" of Pakistan. However, in his telegram No. 1693-S of 2 July, Mountbatten accepted the text of the redraft. See IOR, R/3/1/153. Also see No. 440, note 3, TP, XI, 808.

⁴Following the King's approval, the redraft was incorporated in the Indian Independence Bill. See Appendix III. 4, Part III.

I. 2

The Earl of Listowel to Louis Mountbatten

Telegram, IOR, L/PO/6/122¹

IMMEDIATE/PRIVATE

INDIA OFFICE,
1 July 1947, 2.30 am,
Received: 1 July, 8.30 am

[No.]75. Discussion with Opposition leaders² from both Houses took place this afternoon.³ In general their attitude was, helpful and the Bill⁴ was on the whole well received. There was however, not unnaturally, a general undercurrent of anxiety though this did not crystallise in any form of counter proposals. Only two points appeared likely to give rise to any considerable criticism. These were:

- a. Use of title India for Hindustan. There was a certain uneasiness about this based on a feeling that it would antagonise the Muslims and was not justified on merits. There was moreover a feeling that "Union of India" should be kept for any organisation wider than either Dominion which may develop.
- b. Strong feeling was expressed by Conservatives against the title⁵ "Independence Bill" and we were pressed to agree to "Indian (Self Government) Bill" and to substitute "two self governing Dominions" for "two independent Dominions" in the long title and in Clause 1. We put all the arguments and finally pointed out that time factor made it impossible to alter Bill on this point before it was shown to Indians. Opposition to this title was not withdrawn but we are not disposed to alter it.

[Para 2 omitted]

¹No. 441, TP, XI, 809.

²Attlee had a talk with Templewood about the Bill and also had its copies sent for study to Anthony Eden, Clement Davies, Herbert Samuel, John Simon, Oliver Stanley, and Robert Gascoyne-Cecil. See No. 375, *ibid.*, 703-4.

³30 June 1947.

⁴Enclosure 1 to No. 1.

⁵For Jinnah's observations about the title, see *ibid.*, note 26.

I. 3

Clement Attlee to Louis Mountbatten

*Telegram, L/P&J/10/81*¹

MOST IMMEDIATE/SECRET

3 July 1947, 12.30 am,

PERSONAL

Received: 3 July, 6 am

No. 8510. Following for Viceroy from Prime Minister. I have myself been most carefully into the legal objections² to your proposed reconstruction³ of Interim Government and consider this method could be challenged. You know that I would do anything in my power to help you in your grave difficulty but in the circumstances His Majesty's Government are unable to sanction your reconstructing Government in this way until legal position has been assured by passing of Bill, in which Clause 9, which we are prepared to amend for this purpose, will give you necessary authority. I appreciate the extreme need for speed in order that this reconstruction may take place at the earliest possible moment to enable you to keep faith with Congress leaders and I am therefore taking every possible step to ensure speeding up of passage of this Bill in Parliament and am aiming at target date of July 20th though I cannot of course at this stage promise an exact date. But, for that purpose, it is essential that we should have by most immediate return any comments⁴ which Indian leaders may wish to make on draft Bill. This will enable us to approve draft Bill tomorrow and to introduce forthwith.

¹No. 468, *TP*, XI, 838.

²Jinnah was opposed to the reconstitution of the Interim Government on legal and constitutional grounds and communicated his objections to HMG through Mountbatten. See No. 311, Vol. II, 589-95 and No. 413, note 1, *TP*, XI, 751. The Prime Minister and other Ministers also questioned the legal validity of the proposals as well as their fairness to the ML. See No. 447 *ibid.*, 814. Mountbatten thought that a self-contained telegram from the Cabinet spelling out their doubts might help him to persuade Nehru to drop the proposals. See No. 448, *ibid.*, 815. However as a way out of the legal imbroglio, Listowel suggested that the proposals could only be adopted with the "full agreement of all members of Council" who should "accept your proposals and agree to abide by them". See No. 454, *ibid.*, 821-2. Notwithstanding these legal difficulties, the Congress leaders stuck to their demand and remained "firmly united in their complete refusal to be dictated to by Jinnah any longer" as intimated by Mountbatten to Attlee. See No. 458, *ibid.*, 826.

³See Enclosure to No. 6, Case No. PC 1/1/47.

⁴Annexes I, II and IV to No. 1, and No. 17.

I. 4

The Earl of Listowel to Louis Mountbatten

Telegram, L/P&J/10/81¹

MOST IMMEDIATE/SECRET

INDIA OFFICE,
3 July 1947, 12.20 am,
Received: 3 July, 6 am

No. 8511. Telegram No. 8510² containing personal message from Prime Minister.

The amendment to Clause 9(1) which is in mind is to add after paragraph (d) following paragraph:

(*Begins*) (e) for³ the carrying on of the business of Governor-General in Council between the passing of this Act and the appointed day otherwise than in accordance with the provisions in that behalf of the Ninth Schedule to the Government of India Act, 1935. (*Ends.*)

¹No. 469, TP, XI, 839.

²Appendix I. 3.

³The word "authorising" was added after the word "for" in sub-clause (e). See Enclosure 1 to No. 1.

I. 5

Louis Mountbatten to the Earl of Listowel

Telegram, R/3/1/154¹

MOST IMMEDIATE/SECRET

NEW DELHI,
3 July 1947,
Received: 3 July, 8.10 pm

No. 1728-S. Following are my comments on the points raised by Congress.²

Form of Bill. I presume time will hardly permit the Bill to be re-drafted into two Bills at this stage. For the same reason the alternative suggested in paragraph (c) appears equally impracticable. As regards suggestion in paragraph (d) you will have noticed the strong reaction

of Muslim League to the view that Dominion of India will continue international personality of existing India. On the other hand the advice received both by me and Foreign Office supports Congress contention even on Bill as at present drafted. Whilst I am in sympathy with the Congress suggestion for further clarification as regards treaty rights and obligations, I realise that this may make difficulties with the Opposition.

Preamble and Clause 1 (1). I cannot support proposals and personally persuaded Mr. Jinnah to retract a proposal of his own to alter preamble in the contrary sense.

Clause 2(1) and (3). Though I do not like the form of amendment suggested by Congress there is a substantial point that clause 2 as drafted leaves the position of acceding Indian States *vis-a-vis* the new Dominions entirely in the air. The definitions of both Dominions should be modified so as to cover Indian States and other areas which may hereafter become part of the particular Dominion by accession on federal basis or in any other circumstances. This is not sufficiently covered by the negative formula adopted in clause 2(3).

Clause 3(2) (a). I entirely agree with the Congress point and strongly suggest that it should be met by saying that *quote* As from the appointed day a part of the territories of Assam shall in accordance with the provisions of sub-clause (3) be separated from that Province and comprised in the new Province of East Bengal *unquote*. Consequential amendments will be necessary in sub-clause (3) and subsequent clauses, such as 9(1)(b) and (9)(1)(e).

Clause 6(1). Suggested proviso will not be necessary if the definition of the Dominions is amended only to the extent suggested in comment on clause 2(1) and (3) above.

Clause 6(2). I have informed both Congress and the League that this has been accepted.

Clause 6(4). I support the proposal.

Clause 7(1). As anticipated by me, Congress took very serious exception to paragraph (b) of this clause. This is a very crucial issue with them. Mr [K. M.] Panikkar (Dewan of Bikaner) also represented to me³ that unconditional lapse of treaties and agreements will hit States equally hard. I am inclined to support the third alternative suggested.⁴ I recommend for the earnest consideration of H.M.G. that something should be done on those lines though of course omitting the word "relations" and making it clear that arrangements to be preserved include arrangements as between a State and a Province. If necessary a time limit may be fixed, say, 31st March 1948, for the operation of the proviso. Same provision may be made in respect of paragraph (c) of clause.

Clause 9(5). This was inserted at my suggestion and both Congress and League have accepted it because partition of armed forces cannot be completed before this date.⁵

*Clause 10(2).*⁶ Both Congress and League have agreed to extending the scope of this clause to judges of the Federal Court and the High Courts. Terms of this clause as well as definitions of remuneration and pension have been accepted by them.

*Clause 14.*⁷ On further discussion with me, Congress leaders are prepared to accept this clause if the provisions are absolutely necessary from a purely British point of view. Otherwise their preference is to omit the clause and rest the matter on their assurance that payments will continue to be made by their High Commissioner.

Clause 19(3). I support proposal regarding proviso. In view, however, of Muslim League point to which I refer later,⁸ proviso on following lines should be added to new sub-clause proposed by Congress. *Begins.* Provided that representatives of tribal areas shall participate in that Assembly only in which representatives of the province adjoining the tribal areas concerned participate. *Ends.*

⁵No. 484, TP, XI, 863-5.

⁶Annex IV to No. 1.

⁷Panikkar was anxious about the likely detrimental effect of the lapse of paramountcy and suggested classification of standstill agreements, on the basis of the notice period for their termination, viz. six months, two years or no notice. See No. 446, TP, XI, 813-4.

⁸The Congress had proposed, as a third alternative, addition of a proviso to the effect that "Until new agreements are completed the existing relations and arrangements between His Majesty and any Indian Ruler in all matters of common concern shall continue as between the new Dominion Government and the State concerned". See Annex IV to No. 1. Despite the League's opposition to this proposal, as contained in Annex VI to No. 1, on the ground that "It will be for the two new Dominions to negotiate and enter into such agreements with the Indian States as they deem fit", Mountbatten supported the Congress proposal.

⁹See Enclosure 3 to No. 1, item II.

¹⁰Ibid., item III.

¹¹Ibid., item IV.

¹²See Appendix I. 6.

I. 6

Louis Mountbatten to the Earl of Listowel

Telegram, R/3/1/154¹

MOST IMMEDIATE/CONFIDENTIAL

NEW DELHI,

3 July 1947, 8.45 pm,

Received: 3 July, 7.55 pm

No. 1729-S. Following are my comments on points raised by Muslim League.

Clause 2. I am unable to recommend any change in respect of the Andaman and Nicobar Islands.

Clauses 3 and 4. This point was originally raised by Congress, but was not specifically included in their comments. However, they definitely support it and I consider it of the utmost importance.

Clause 6(2). Covered in my comments on Congress points.²

Clauses 9 and 11. On careful consideration I can recommend this.

Clause 19(3) Proviso. See my telegram on Congress points.³

General. I told Mr Jinnah that no sanction would be accepted by Congress or be enforceable by H.M.G. I entirely disagree with views expressed in the last paragraph, though I understand that League would be violently opposed to any amendment of the Bill itself on this point.

¹No. 485, TP, XI, 865.

^{2&3}Appendix I. 5.

I. 7

Extract¹ from Minutes of the 40th Meeting of India and Burma Committee held on 3 July 1947

PRESENT

Clement Attlee—in the Chair

Stafford Cripps²

The Earl of Listowel

Arthur Henderson⁵

John Rowlatt⁷

Geoffrey Wilson⁹

Christopher Addison³

Christopher Mayhew⁴

Archibald Carter⁶

S. E. V. Luke⁸

Francis Turnbull¹⁰

[Minutes 1 & 2 omitted]

Minute 3

INDIAN INDEPENDENCE BILL

(PREVIOUS REFERENCE: I. B./ (47) 39TH MEETING, MINUTE 2)¹¹

[Para 1 omitted]

The Committee had before them the following telegrams from the Viceroy to the Secretary of State for India in connection with the discussions in New Delhi with the Indian political leaders on the text of the Indian Independence Bill—

No. 1695-S.¹² Summary of points raised informally by the Muslim League on the 2nd July.

No. 1703-S.¹³ Further points raised informally by the Muslim League on 2nd July.

No. 1719-S.¹⁴ Summary of Congress Comments on the Draft Bill.

No. 1723-S.¹⁵ Text of formal Muslim League comments on Draft Bill.

No. 1728-S.¹⁶ The Viceroy's comments on the points raised by Congress, set out in No. 1719-S.

No. 1729-S.¹⁷ Viceroy's comments on points raised by Muslim League.

The Committee noted that the main criticism of the draft made by the Congress Leaders was that it failed to indicate sufficiently clearly that the new Dominion of India would continue the international personality of the existing India. They had urged that this position should be precisely stated in the proposed legislation, and that for this purpose the Dominion of India and the Dominion of Pakistan should be established by two separate Bills. The Committee considered, however, that there was no possibility of meeting these representations. It was not, in any event, a matter for His Majesty's Government to legislate regarding the future international personality of the new Indian Dominions; their status would have to be determined by international recognition. There was, indeed, every reason to suppose that the Union of India would in fact, under the proposed legislation, be accepted as the international successor of the existing India. But to frame the Bill in terms which suggested that Pakistan was no more than a seceding fragment of India would provoke serious criticism in Parliament and would endanger the prospects of a speedy enactment of the Bill. Moreover, there was no reason to doubt that the Muslim League leaders felt sufficiently strongly on this subject to implement their threat to withdraw acceptance of the plan (Tel. No. 1703-S), if the Congress representations on this point should be met.

The Committee noted that the most important criticism of the Draft Bill put forward by the Muslim League related to the exclusion of any reference to the Andaman and Nicobar Islands. This was a

matter to which they had given very careful consideration, and they did not feel that it was practicable to modify the decision already reached.

In discussion, it was agreed that the following amendments¹⁶ should be made to the Draft Bill in the light of the criticisms put forward by the Congress and Muslim League Leaders and of the Viceroy's comments thereon—

- (a) It was agreed that Clauses 3 and 4 should be amended to meet the proposal of the Muslim League (Tel. No. 1723-S) that the parties should be bound by awards of Boundary Commissions.
- (b) It was agreed that a new sub-clause should be inserted after Clause 2(ii) which would have the effect of bringing out more clearly the possibility of the accession of the Indian States. This would meet the Congress proposal in paragraph 2 of Tel. No. 1719-S.
- (c) The Committee noted that the Congress Leaders had pointed out that there was no reason why, on the transfer of Sylhet to East Bengal, the present Province of Assam should cease to exist. It was agreed that the Bill should be amended to meet this criticism.
- (d) It was agreed that the Bill should be amended to meet the Congress proposal that for the words "unless it is declared in the Act that the Dominion has requested and consented to the passing thereof" there should be substituted the words "unless extended thereto by an Act of Legislature of the Dominion".
- (e) The Committee were impressed by the criticisms made by the Congress Leaders of the terms of Clause 7(1) (b) and (c). They felt that there was justification for the view that the complete wiping out of all treaties and agreements in force at the date of the passing of the Act would create administrative chaos, and they considered that a proviso should be added to Clause 7(1) (b) to the effect that all agreements relating to customs, communications, posts and telegraphs administration, irrigation and other similar matters should be deemed to continue in force until such time as they were either denounced by one of the parties concerned or superseded by fresh agreements. There was some discussion whether it would be appropriate for a similar proviso to be added to Clause 7(1) (c). The Viceroy had given an assurance to the Frontier Tribes

that suzerainty would not be transferred, and it would be undesirable to give any impression that this was being done in the Bill. On the other hand, the automatic lapse of the existing arrangements for such matters as the maintenance of communications through the Khyber and Bolan passes would cause great inconvenience, and it was thought that the best course would be to extend the proposed proviso¹⁹ to cover Clause 7(1) (c), making it clear that the intention was to continue only those provisions of the agreements relating to matters such as communications, transit and commerce, and not those relating to suzerainty.

- (f) It was agreed that, in Clause 9(5) the words "31st March, 1948" should be substituted for the words "six months from the appointed date".
- (g) Parliamentary Counsel handed to the Committee the text of a revised Clause 10(2) which was agreed.
- (h) It was agreed that, as suggested by the Congress Leaders, provision should be made in Clause 19(3) (a), making it clear that the Constituent Assemblies would have full power to prescribe the methods of filling casual vacancies and of the participation in the work of the Assemblies of representatives of the Indian States and of tribal areas. They did not, however, feel that it would be appropriate to insert in this Clause any formal definition of the Constituent Assembly's powers. A re-draft of Clause 8(1) and 8(2), handed in by Parliamentary Counsel, to meet the Congress views on that subject was agreed.
- (i) The Committee were informed that no reply had been received from the Viceroy regarding the suggestion²⁰ that Clause 9(1) (e) should be amended to enable him to set up, between the enactment of the Bill and 15th August, to conduct the business of the Governor-General in Council otherwise than in accordance with the provisions of the Government of India Act, 1935. It was agreed that this amendment should be made in the Bill.

The Committee:

- (2) Agreed that the draft Bill, as amended in discussion, should be printed for presentation to Parliament on 4th July.

The Prime Minister raised the question whether, under the Bill, it would be possible for different persons to be appointed Governors-General of the two new Indian Dominions.

The Committee were informed that the Bill made legal provision for this situation. They felt, however, that, if it should prove necessary to appoint two Governors-General, the task of partition and of effective establishment of the new Dominions would be greatly complicated and prejudiced. It seemed that, in that event, the appointment of an Arbitral Tribunal and agreement to accept its awards would be essential.

¹See No. 486, *TP*, XI, 866-71.

²President, Board of Trade.

³Secretary of State for Dominion Affairs.

⁴Parliamentary Under-Secretary of State for Foreign Affairs.

⁵Parliamentary Under-Secretary of State for India and Burma.

⁶Permanent Under-Secretary of State for India.

⁷Parliamentary Counsel to the Treasury.

⁸Under-Secretary, Cabinet Office.

⁹Assistant Secretary, Cabinet Office.

¹⁰Assistant Secretary, Political Department, India Office.

¹¹During this meeting Christopher Addison brought up the question of likely objections from the Opposition to the title of the Indian Independence Bill. It was decided to retain the title and seek support from the Dominion Prime Ministers in that regard. See No. 465, minute 2, *TP*, XI, 835-6.

¹²Annex I to No. 1.

¹³Annex II to *ibid.*

¹⁴Annex IV to *ibid.*

¹⁵No. 17.

¹⁶Appendix I. 5.

¹⁷Appendix I. 6.

¹⁸For the amendments made to the Draft Bill following this meeting, see Enclosure 1 to No. 1.

¹⁹See proviso after Clause 7(1) (c) in Enclosure 1 to No. 1.

²⁰Appendix I. 4.

I. 8

The Earl of Listowel to Louis Mountbatten

Telegram, L/P&J/10/124¹

IMMEDIATE/SECRET

INDIA OFFICE,
5 July 1947, 12.30 am,
Received: 5 July, 8.30 am

No. 8653. My telegram 8587,² paragraph 4. Following is brief explanation of reasons why Cabinet Committee did not feel able to accept some of suggestions made by Congress and Muslim League.

CONGRESS COMMENTS

(1) *Form of Bill*. Apart from the merits, it was quite impracticable to undertake major redrafting in the time available.

(2) *Preamble and Clause 1*. Amendment in this sense is equally strongly opposed by Muslim League. Question of international position of India and Pakistan as new Dominions cannot be determined by form of provision in the Bill since it turns on treatment which will in fact be accorded by other Nations and International Organisations. So far as terms of Bill may be taken by others as affording some sort of pointer to view taken by H.M.G. and Parliament on this subject we consider that provisions as drafted preserve a proper balance between conflicting claims of Congress and League. The hint these provisions afford (and it can be no more) does in our view give the best indication possible of the position as it will in practice be immediately after 15th August.

(3) *Clause 7(1)*. We have gone³ as far as we can to meet this point⁴ by our proviso to Clause 7(1) (see my telegram No. 8652).

(4) *Clause 19(3)*. Proviso has been amended in sense desired by you. It was however strongly felt that this was not the appropriate place to deal with the matters which Congress propose should be dealt with in a new sub-clause 3(a). Clause 19 is a definition clause. Amendments have, however, been made elsewhere, in particular in lines 2-5 of page 6 of Bill⁵ to meet points (a) and (b) of Congress draft Clause 19(3)(a).

(5) *Clause 14*. We are glad of assurance given. Clause which is on the face of it transitory is needed to remove doubt which would otherwise exist whether any British Minister could after 15th August legally disburse these sums on behalf of Indian Governments. Whatever arrangements may be made later on regarding machinery for these payments it would be quite impracticable suddenly to uproot existing machinery.

MUSLIM LEAGUE COMMENTS

(1) *Andaman and Nicobars*. Geographical position of these Islands makes it impossible to assign them to Pakistan, nor did any form of joint control by both Indian and Pakistan Governments seem to us practicable. We felt that to exclude Islands altogether from either India or Pakistan would not be acceptable.

(2) *Clauses 9 and 11*. We are unable to meet Muslim League point of view. This would make Governor-General an aribtrator [*sic* for arbitrator] apart from unsuitability of defining in Bill questions of "advice".

GENERAL

We have made the Boundary Commissions' Reports binding but it

is impossible for H.M.G. to guarantee the carrying out of the awards or findings of Arbitration Tribunal.

¹No. 514, *TP*, XI, 907-8.

²In his telegram No. 8587 dated 4 July, Listowel informed Mountbatten that the brief account of reasons for not accepting certain suggestions made by the ML and Congress on the Draft Bill would be telegraphed later. See No. 491, *ibid.*, 875-6. For amendments to the Draft Bill, see Editorial Note to Enclosure 1 to No. 1.

³In this telegram, Listowel observed that, his objections notwithstanding, the standstill proviso relating to agreements with States had been incorporated in the Bill and that the proviso to Clause 7(1) (b) and (c), in effect, gave cover to a standstill in practice when neither party had done anything to negotiate standstill agreements. See No. 513, *TP*, XI, 906.

⁴The Congress still considered the proviso, as drafted, to be inadequate saying "this does not go far enough and even this is subject to unilateral denunciation by any party". They insisted that the proviso should take the form suggested by them. See No. 535, *TP*, XI, 938. Rau in his note to Mountbatten took exception to the likely effect of the proviso which would confer extensive powers on 327 petty States and suggested replacement of the proviso by two separate ones which had been drafted by him. See No. 560, *ibid.*, 967-8. Rau's arguments were examined by Corfield who thought that the former's fears were exaggerated. Corfield doubted that petty States could succeed in isolating themselves. See No. 30, *TP*, XII, 28-9. Mountbatten thereupon decided not to take any action on the suggestion to amend the proviso which, upon the Bill's passage through Parliament, became part of the Indian Independence Act. See No. 37, item 2, *ibid.*, 36-8.

⁵Refers to the amendment to Clause 8(1) in italics in Enclosure 1 to No. 1.

APPENDIX II

ALL INDIA MUSLIM LEAGUE FUNDS

The documents comprising this Appendix relate to the Bihar Relief Fund, the Pakistan Fund, and other donations for charitable purposes. Besides the correspondence categorized under Section A, the documents also contain, under Section B, a number of statements of accounts.

The Bihar Relief Fund had been closed from 15 May but donations kept coming from overseas as well as from far-off places within the country. The Pakistan Fund was set up on 16 June to meet expenses of referendums in the Frontier, Baluchistan, and Sylhet as well as to set up committees of experts and specialists to advise the Constituent Assembly. The Pakistan Fund documents for June 1947 have already been included in Volume II. The statements in Section B of the present volume shed light on the widespread and enthusiastic response from the donors, especially from those in areas that were to lie outside the territorial limits of Pakistan. Most of these donations are modest in scale, usually in two figures, but their number is overwhelming.

The day-to-day Abstract of Receipts in the format appearing in No. 346, Volume II, 673, have not been printed in the present volume as the position of daily receipts and balance brought forward from the previous day have been indicated at the end of the detailed statement of account prepared every day. It is possible, though, that the account of collections available in QAP may not be altogether complete.

SECTION A

II. 1

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/343

CONFIDENTIAL

CHANDNI CHOWK, DELHI,
1 July 1947

Dear Sir,

As desired by you we are pleased to confirm that an overdraft limit of Rs. 5,00,000 has been provisionally placed at your disposal for the Pakistan Account, under instructions from our Managing Director, Seth Moh[amma]d Ali Habib.

We have also remitted by telegraphic transfer Rs. 1,00,000 (Rupees one lakh) to be paid to Mr. Ahmed Ispahani, Chairman, Assam Referendum Committee.

Kindly confirm the transfer.¹

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Agent

¹See Appendix II. 3.

II. 2

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 1125/3

CHANDNI CHOWK, DELHI,
1 July 1947

Habib Bank Limited present compliments and beg to inform you that the Pakistan Fund account with this Bank has been debited with Rs. 1,00,002 (Rupees one lakh and two only) being amount sent to Calcutta for payment to Mr. Ahmad Ispahani,¹ Chairman, Assam Referendum [Committee]. This includes Rs. 2 per telegram charges.

[SIGNATURE ILLEGIBLE]
Agent

¹See No. 322, Vol. II, 620.

II. 3

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/342

1 July 1947

RE: PAKISTAN FUND

Dear Sir,

I am in receipt of your letter of 1st July, 1947¹ and I confirm the overdraft limit of Rs. 5,00,000 (Rupees five lakh) placed at my disposal for the Pakistan Account; and I also confirm the telephonic instructions

asking your Manager to remit Rs. 1,00,000 (Rupees one lakh) to be paid to Mr. Ahmed Ispahani, Chairman, Assam Referendum Committee, and I know that my instructions have been carried out.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

¹Appendix II, 1.

II. 4

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/346

1 July 1947

[RE:] BIHAR RELIEF FUND

Dear Sir,

I am enclosing herewith three Demand Drafts totalling Rs. 2,140-14-0 (Rupees two thousand one hundred and forty and annas fourteen only) with pay-in slip, which amount on realization, please credit to the Bihar Relief Fund Account opened with your Bank. Also, kindly issue receipts direct to the donors as per names and addresses given below:

- | | |
|--|-----------------|
| 1. Sardar Khushi Mohammad Mekan,
c/o M. Mohammad Iqbal, Advocate, Sargodha
(Draft on Imperial Bank of India) | 1,000-0-0 |
| 2. M. Mohammad Iqbal, Advocate, Sargodha
(Draft on Imperial Bank of India, Delhi) ¹ | 480-0-0 |
| 3. Mr. Farooqi, c/o the <i>Indian Views</i> , 137 Grey Street,
Durban, Natal, South Africa. (Draft No. 29/208 of
The Standard Bank of South Africa on Grindlays
Bank, Bombay) ² | <u>660-14-0</u> |
| Total | 2,140-14-0 |

(Rupees two thousand, one hundred and forty and annas fourteen only)

Kindly acknowledge receipt and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

¹Covering letter in respect of items 1 and 2 is available in F. 683/409, QAP. Not printed.

²Record of the above remittance is also available in Relief Fund Account. See F. 860/59, QAP. Not printed.

II. 5

*President, Muslim Club, Attock Oil Company Ltd.,
Rawalpindi, to Habib Bank Ltd., Lahore*

F. 861/100

ATTOCK OIL COMPANY LTD.,
RAWALPINDI,
1 July 1947

[RE:] PAKISTAN FUND

Dear Sir,

In response to the appeal¹ made by the Muslim League President, Quaid-i-Azam M. A. Jinnah, I enclose herewith a draft for Rs. 1,000 collected from the Muslim staff of the Attock Oil Company Limited Refinery, Rawalpindi, as detailed below:

	[Rs.As.Ps.]
Labour Staff	282-0-0
Office Staff	98-0-0
Messrs. Amir Ullah Khan & Sons	163-0-0
Mr. Ahmed Hussain, Contractor	50-0-0
Mr. Mirza Lal Khan, Contractor	10-0-0
K. S. [Khan Sahib] Mir Afzal Khan, W.& W.O. ²	50-0-0
Mr. T. A. T. Lodhi	75-0-0
Ch. Faiz Ahmed	30-0-0
B. Gulzaman Khan	20-0-0
Morgah ladies	129-0-0
B. Moh[ammad]d Tufail	10-0-0
B. Barkat Ali	10-0-0
B. Nawab Khan	10-0-0
Mistry Bagh Ali	10-0-0
Mistry Sher Baz Khan	30-0-0
Shopkeepers	23-0-0
[Total]	1,000-0-0

Kindly acknowledge receipt.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
President, Muslim Club

The Agent,
Habib Bank Limited,
Lahore

Copy to:

1. Mr. M. A. Jinnah, Aurangzeb Road, New Delhi, for information
2. Editor, *Dawn*
3. Editor, *The Pakistan Times* for favour of publication
4. Editor, *Zamindar*

¹See No. 128, Vol. II, 297-8.

²Watch and Ward Officer.

II. 6

Central Bank of India Ltd., Delhi, to M. A. Jinnah

F. 683/347

CHANDNI CHOWK, DELHI,

2 July 1947

Dear Sir,

We have received telegraphic instructions from our Gaya Office to pay you a sum of Rs. 5,000 (Rupees five thousand only). We shall thank you to please receive payment of the same by presenting the enclosed receipt, signed across one anna stamp, to us through your Bankers.

Yours faithfully,

[SIGNATURE ILLEGIBLE]

Accountant

II. 7

Hamida Abdul Haq to Habib Bank Ltd., Delhi

(Copy to M. A. Jinnah)

F. 861/101

RAHIMYAR KHAN,

2 July 1947

Dear Sir,

I beg to submit herewith Imperial Bank Draft No. B.Q. 97388 for Rs 1,000.

The amount may kindly be credited in the Pakistan Fund recently announced¹ by the Quaid-i-Azam Mr. M. A. Jinnah, and its receipt sent to me and information to the Quaid-i-Azam.

I attach herewith a list of the donors of the Fund, which may kindly be forwarded to the Quaid-i-Azam along with your letter.

Yours faithfully,
[HAMIDA ABDUL HAQ]
c/o Khan Sahib Shaikh Abdul Haq,
Superintendent of Police

The Manager,
Habib Bank Ltd.,
Chandni Chowk, Delhi

[Note.] Copy and the list of donors to be submitted to Quaid-i-Azam Mr. M. A. Jinnah with the humble request that the money sent by the women of Rahimyar Khan (Bahawalpur State) may kindly be accepted.

HAMIDA ABDUL HAQ

¹See Appendix II. 5, note 1.

Enclosure to No. II. 7

F. 861/102

LIST OF DONORS TO THE PAKISTAN FUND
[FROM] RAHIMYAR KHAN (BAHAWALPUR STATE)

S. No.	Name of Donor	Amount
		[Rs. As. Ps.]
1.	Mrs. Abdul Haq (c/o Supdt. of Police)	101-4-0
2.	Mrs. Faiz Ahmed (c/o Deputy Commissioner)	100-0-0
3.	Mrs. Haq Nawaz Khan (c/o Executive Engineer)	100-0-0
4.	Mrs. Nisar Ahmed (c/o Executive Engineer)	100-0-0
5.	Mrs. Abdul Aziz Khan (c/o Tehsildar)	100-0-0
6.	Mother of Alimullah Khan	20-0-0
7.	Mother of Abdul Ghafoor	5-0-0
8.	Mrs. Yakub Beg (c/o Civil Surgeon)	200-0-0
9.	Mrs. Wajid Ali (c/o Civil Supply Officer)	20-0-0
10.	Mrs. Khan Mohammad (c/o Sub-Inspector Police)	10-0-0
11.	Mrs. Mohammad Nawaz (c/o Deputy Collector)	50-0-0
12.	Mrs. Haji Mohammad (c/o Rais)	50-0-0
13.	Mrs. Qadir Bux (c/o Income Tax Officer)	20-0-0
14.	Mrs. Rahmat Ali (c/o Assistant Surgeon)	11-0-0
15.	Mrs. Mohammad Bakhsh (c/o Rais)	100-0-0
16.	Mrs. Abdul Wahid (c/o Municipal Commissioner)	10-0-0
17.	Mrs. Nur Mohammad (c/o Police Constable)	2-0-0
18.	Mrs. Ahsanullah (c/o Police Constable)	2-0-0
	Total	1,001-4-0 ¹

¹Perhaps Bank charges amounted to Rs. 1-4-0.

II. 8

Moti Stores, Calcutta, to M. A. Jinnah

F. 683/345

99 LOWER CHITPUR ROAD, CALCUTTA,
2 July 1947

Beloved Quaid-i-Azam,

We herewith enclose a Draft No. C14024 cc 3/201 dated 30.6.1947 for Rs. 15 as our first instalment towards "Pakistan Fund" which please receive.

Assuring you of our support at all times,

Yours affectionately,
[SIGNATURE ILLEGIBLE]
Partner,
for Moti Stores

II. 9

Soreya Khanim Minhas to M. A. Jinnah

F. 683/348

NEHRU ROAD, RAWALPINDI CITY,
2 July 1947

Our beloved Quaid-i-Azam,

In response to your appeal for "Pakistan Fund" the Muslim Girl Students Federation, Rawalpindi, has the honour to enclose herewith a Draft No. BI 22062 dated 2.7.[19]47 for Rs. 1,000 only, donated by Hakim Amir Ali Khan Sahib who is well-known for his generous contributions towards our national cause.

I hope you will kindly accept this poor remittance from your daughters.

I would have sent the draft straight to Habib Bank, Anarkali, Lahore, but the post office does not accept registered articles for that station.

Hope you and our mother Miss Fatima are keeping quite fit.

May Almighty God spare you both for long to guide the destinies of our nation.

Pakistan Zindabad!

Yours sincerely,
SOREYA KHANIM MINHAS
Secretary,
Muslim Girl Students Federation

II. 10

M. H. Mirza to M. A. Jinnah

F. 683/349

RAILWAY QUARTERS,
BASSEIN ROAD, BOMBAY,
3 July 1947

Respected Quaid-i-Azam,

I humbly enclose herewith a draft of Rs. 100 for Pakistan Fund.

May Almighty God preserve you for many years to enjoy the fruits of your labour and to guide us in the prayer[s].

Yours faithfully,
M. H. MIRZA

II. 11

Syed Abul Bazle to M. A. Jinnah

F. 683/350

JANGIPUR, DISTRICT MURSHIDABAD, BENGAL,
4 July 1947

Sir,

On behalf of the Sub-Divisional Muslim League, Jangipur, District Murshidabad, Bengal, I beg to enclose herewith a Cheque No. 1022/J.P. dated 4.7.47 on Dinajpur Bank Ltd., Jangipur, for Rupees 500 (five hundred only) towards the Pakistan Fund. Kindly acknowledge and oblige.

I have the honour to be, Sir,
Your most obedient servant,
SYED ABUL BAZLE
for Sub-Divisional Secretary,
Muslim League, Jangipur

II. 12

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 156/186

CHANDNI CHOWK, DELHI,
5 July 1947

RE: BIHAR RELIEF FUND

Dear Sir,

We thankfully acknowledge receipt of your letter dated 1-7-1947¹ along with three drafts totally [*sic* for totalling] Rs. 2,140-14-0. On realization of the same, receipts will be issued to the donors.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Appendix II. 4.

II. 13

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 682/329

5 July 1947

Dear Sir,

I am in receipt of your letter of 25th June, 1947,¹ and as regards item No. 1, i.e. M.O. [Money Order] for Rs. 41 for Gurgaon Relief, please credit the amount to the Pakistan Fund Account opened with you.

As regards the remaining two amounts of Rs. 65 and 50 meant for the Muslim League Fund, please send me your cheque for the total amount, as the Muslim League Fund Account is opened with the Imperial Bank of India, Bombay, to which these two amounts will be credited.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

¹No. 242, Vol. II, 492-3.

II. 14

*M. A. Jinnah to Habib Bank Ltd., Delhi**F. 683/352-3**5 July 1947*

RE: PAKISTAN FUND

Dear Sir,

I am enclosing herewith seven Cheques, one Demand Draft and one Pay Order, together with three pay-in slips, totalling in all Rs. 14, 421-0-8 (Rupees fourteen thousand, four hundred and twenty-one and pies eight only) which amount, on realization, please credit to the Pakistan Fund Account opened with you; also kindly issue receipts direct to donors as per list of names and addresses attached.

Kindly acknowledge receipt and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank, Ltd.,
Chandni Chowk, Delhi

*Enclosure to No. II. 14**F. 683/353*

[RE:] PAKISTAN FUND

	[Rs. As. Ps.]
1. Mrs. J. F. Dalby, Connaught Mansions, Colaba, Bombay (Ch. ¹ PB/8 884903, Imperial Bank of India, Bombay)	50-0-0
2. Nawab Zulcadr Jung, through Lt. Col. M. H. Hussain, IAOC, 14 Station Road, Delhi Cantt. (Ch. D 21147/24 Grindlays Bank Ltd., New Delhi)	1,000-0-0
3. Abul Fazal Mohammad Mokarim, c/o Moh[amma]d Zulfiqarullah, President, City Muslim League, Allahabad (Ch. 918656 Bharat Bank Ltd., Patna)	50-0-0
4. Capt. K. K. Mahmood, O I/C, No. 1 R. Group, GHQ 2nd Echelon, SEALF, ² GPO, Singapore (Ch. OB/1 84474, Imperial Bank of India, Peshawar Cantt.)	500-0-0
5. Abul Majid Prancha, Director-in-Charge, Pennsylvania Oil Co. (India) Ltd., Calcutta (Ch. A/O 250186 Punjab National Bank Ltd., Calcutta)	500-0-0
6. E. A. Dadabhoy, Servants of All India Muslim League, Johannesburg, South Africa (Draft A 284063 on Eastern Bank, Bombay)	4,296-0-8

7.	Shahmustafa, Gaya (no address given), (telegraphic transmittance through the Central Bank of India Ltd., Delhi)	5,000-0-0
8.	M. A. Khan, Merchant & Insurance Agent, Court Road, Amritsar (Ch. 64011, New Bank of India, Amritsar)	25-0-0
9.	Indian Muslims in Kabul, through Moh[amma]d Azam Alizai, c/o Postmaster, Peshawar (Ch. M 00370/20, Grindlays & Co.)	<u>3,000-0-0</u>
	Total	14,421-0-8

(Rupees fourteen thousand, four hundred and twenty-one and pies eight only)

¹Cheque.

²South East Asia Land Forces.

II. 15

Moti Stores, Calcutta, to M. A. Jinnah

F. 683/351

99 LOWER CHITPUR ROAD, CALCUTTA,
5 July 1947

Dear Quaid-i-Azam,

Hope you have re[ceive]d our letter with a draft of Rs.15 towards the Pakistan Fund as our first instalment of the 2nd instant.¹

We herewith enclose a Draft No. C14034-CC 3/211 d[ated] 5.7.47 for Rs. 30 as our 2nd instalment towards the Pakistan Fund which please receive.

Assuring you of our whole-hearted support,

Yours obediently,
[SIGNATURE ILLEGIBLE]

*Partner,
for Moti Stores*

¹Appendix II. 8.

II. 16

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/354

6 July 1947

[RE:] PAKISTAN FUND

Dear Sir,

I am enclosing herewith two Cheques and four Demand Drafts together with three pay-in slips totalling in all Rs. 2,828-8-0 (Rupees

two thousand, eight hundred and twenty-eight and annas eight only) which amount, on realization, please credit to the Pakistan Fund Account opened with you and issue receipts direct to donors as per their names and addresses given in the list enclosed.

Kindly acknowledge receipt and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

Enclosure to No. II. 16

F. 683/357

[RE:] PAKISTAN FUND

1. Messrs. Moti Brothers, 99 Lower Chitpur Road, Calcutta (Draft CC 3/201, Habib Bank, Delhi)	15-0-0
2. A. H. Darbar, c/o Haji Sattar Haji Peermohamed, 23 Amratola Lane, Calcutta (Draft CC 3/189, Habib Bank Ltd., Delhi)	401-4-0
3. Asghar Hamid, Blackford Mount, 20 Morton Hall Road, Edinburgh 9 (Ch. A902209, Lloyd's Bank, Lahore)	100-0-0
4. Y. A. Magdum, Railway Contractor, President, State Muslim League, Miraj, Central India (Ch. Y 076976, The Bombay Provincial Cooperative Bank)	1,012-4-0
5. Syed Abdul Rahim, 1/2 Bajana Koil Street, Royapuram, Madras (Draft SB 4/79, Habib Bank Ltd.)	1,200-0-0
6. Mohammad Khalil Serajuddin, 56/2 Sarai Harha, Benares (Draft No. 10/271, The Central Bank)	100-0-0
Total	2,828-8-0

(Rupees two thousand eight hundred and twenty-eight and annas eight only)

II. 17

M. A. Jinnah to Imperial Bank of India, Bombay

F. 683/355

6 July 1947

Dear Sir,

I am enclosing herewith a Demand Draft for Rs. 2,167-13-0 (Rupees two thousand, one hundred and sixty-seven and annas thirteen only)

with a pay-in slip, which amount, on realization, please credit to my *Current Account No. 2¹* with you and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Imperial Bank of India,
Apollo Street, Fort, Bombay

¹Underlined in the original. Account No. 2 had been opened by Jinnah in his capacity as the Muslim League President; Account No. 1 was his personal account.

II. 18

M. A. Jinnah to Imperial Bank of India, New Delhi

F. 683/356

6 July 1947

Dear Sir,

I am enclosing herewith a cheque for Rs.15,000 (Rupees fifteen thousand only) with a pay-in slip, which amount, on realization, please credit to my *Current Account No. 2¹* with your Bank and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Imperial Bank of India,
Parliament Street, New Delhi

¹Underlined in the original. See Appendix II. 17, note 1.

II. 19

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 861/103

6 July 1947

Dear Sir,

I am enclosing herewith two Demand Drafts totalling Rs. 1,440-12-11 (Rupees one thousand, four hundred and forty, annas twelve and pies

eleven only) with a pay-in slip, which amount, on realization, please credit to the Bihar Relief Fund Account opened with your Bank and oblige. Also, kindly issue receipts direct to donors as per their addresses given below:

1. G. H. A. Bayat, c/o 91 Victoria Street, Durban, Natal (Draft on Grindlays Bank)	264-	5-	11
2. Mr. Farooqui, Sub-Editor, <i>Indian Views</i> , 137 Grey Street, Durban, Natal (Draft on Grindlays Bank)	<u>1,176-</u>	<u>7-</u>	<u>0</u>
Total	1,440-	12-	11
(Rupees one thousand, four hundred and forty, annas twelve and pies eleven only)			

Kindly acknowledge receipt.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

II. 20

Asghari Sadaqat to M. A. Jinnah

F. 683/360

GLEN URQUHART, SIMLA S.W.,
7 July 1947

My dear Quaid-i-Azam,

I enclose a Draft No. BD 62054 dated the 7th July 1947, for Rs. 1,000 in aid of the Pakistan Fund. This is a small contribution from my personal allowance.

I regret I have not been able to send off the draft earlier owing to my indifferent health. My husband who is now in Simla is also out of health.

With regards.

Yours sincerely,
ASGHARI SADAQAT
Baharistan, Karnal

II. 21

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/362

CHANDNI CHOWK, DELHI,
7 July 1947

Dear Sir,

We acknowledge receipt of your letter dated 5th instant,¹ as instructed in your letter we have credited Rs. 41 in Pakistan Fund Account opened with us.

As laid down in 2nd para of your above letter, we enclose herewith a Demand Draft for Rs. 115 favouring Muslim League Fund on our Bombay Branch.

Kindly acknowledge receipt.

Yours faithfully,
M. A. SIDDIQUI
Agent

Enc: Draft No. 1517/1/461

¹Appendix II. 13.

II. 22

Habib Bank Ltd., Ahmedabad, to M. A. Jinnah

F. 683/383

No. 827

RICHEY ROAD, AHMEDABAD,
7 July 1947

Dear Sir,

We have the honour to enclose herewith a Demand Draft No. 7/80 for Rs. 100 drawn in your favour on our Chandni Chowk Branch which has been donated by Mr. Abdulkarim Haji Abdul Rehman Bootwala.

We have been instructed by the donor to inform you that the amount may be utilized for the welfare of the Muslim widows or orphans.

Please acknowledge receipt.

Yours faithfully,
S. G. JAFRI
Agent

II. 23

K. B. Mirza to Habib Bank Ltd., Calcutta

F. 683/361

OFFICE OF THE CONTROLLER OF INSPECTION,
P-18, MISSION ROW EXTENTION, CALCUTTA,

7 July 1947

Dear Sir,

Please find enclosed herewith a Cross[ed] Cheque No. BA/4-69855 dated 5.7.47 issued to you on Messrs. Imperial Bank of India Ltd., Park Street, Calcutta, for an amount of Rs. 280 to be accounted for against Pakistan Fund, opened at the instance of Quaid-i-Azam M. A. Jinnah, President, All India Muslim League. The amount is the sum total of the donations received from the Muslim employees of the Office of the Controller of Inspection, Department of Industries and Supplies, P-18, Mission Row Extension, Calcutta.

Please acknowledge receipt and advise Quaid-i-Azam.

Yours faithfully,

K. B. MIRZA

Inspecting Officer

The Manager,
Habib Bank,
Madan Street, Calcutta

Copy forwarded for information :

1. Quaid-i-Azam M. A. Jinnah, President, All Muslim League, Aurangzeb Road, New Delhi
2. The Editor, *The Morning News*, Calcutta, for favour of publication in his esteemed journal

II. 24

K. Altaf Ali to M. A. Jinnah

F. 683/358

Y.M.C.A., NEW DELHI,
7 July 1947

My dear Quaid-i-Azam,

The enclosed cross[ed] cheque of Rs. 90 is for the Punjab Communal Riots Relief Fund.

Long live the Quaid-i-Azam!

Yours sincerely,
K. ALTAF ALI

II. 25

Goolam Hoosen Desai to M. A. Jinnah

F. 683/363

616 SARNIA ROAD, SEA VIEW,
DURBAN, NATAL, SOUTH AFRICA,
8 July 1947

Dear Sir,

On reading in the local newspapers that you have made an earnest appeal to all Muslims to contribute towards the administration of Pakistan, my friends and myself are doing our share by sending you a Bank Draft amounting to Rupees 109.

A receipt in acknowledgement will be appreciated.

I am,
Your most obedient servant,
GOOLAM HOUSEN DESAI

II. 26

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 156/196

CHANDNI CHOWK, DELHI,
8 July 1947

RE: BIHAR RELIEF FUND

Dear Sir,

We thankfully acknowledge receipt of your letter of the 6th July¹ and two drafts for Rs. 264-5-11 and Rs. 1,176-7-0.

The proceeds will be credited to the Bihar Relief Fund under acknowledgment to donors.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Appendix II. 19.

II. 27

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 156/199

CHANDNI CHOWK, DELHI,
8 July 1947

RE: PAKISTAN FUND

Dear Sir,

We thankfully acknowledge receipt of your two letters dated 5th and 6th July¹ and enclosures viz. cheques and drafts aggregating Rs. 14,421-0-8 and Rs. 2,828-8-0, respectively, the proceeds of which shall be credited to the Pakistan Fund on realisation.

The addresses of the donors have been noted to whom receipts will be issued.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Appendix II. 14 and II. 16.

II. 28

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 156/200

CHANDNI CHOWK, DELHI,
8 July 1947

RE: PAKISTAN FUND

Dear Sir,

We shall be thankful if you will kindly return your Pass Book per bearer, for completion of the entries at our end.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Agent

II. 29

M. B. Hussain to Habib Bank Ltd., Delhi
(Copy to M. A. Jinnah)

F. 156/198

FIELD PAY OFFICE A.T.C.&R.,
JULLUNDUR CANTONMENT,
8 July 1947

Dear Sir,

Australasia Bank Ltd. Drafts No. D 01677 dated 7.7.47 for Rs. 473 and No. D 01684 dated 8.7.47 for Rs. 430 together with the list of subscribers to the Pakistan Fund are enclosed herewith. This amount has been collected from the Military Accounts Department employees including officers serving at present in the Field Pay Office, A. T. [Animal Transport] Centre and Records, Jullundur Cant[onmen]t. Mr. Ghulam Hussain, D.F.C.M.A. in charge of the Field Pay Office has been very generous and helpful in raising the Pakistan Fund.

Kindly acknowledge receipt.

Yours sincerely,
M. B. HUSSAIN
Secretary,
Pakistan Fund Account

The Manager,
Habib Bank Ltd., Delhi

NB. Total Muslim strength of the office is 75 and all have paid with the exception of 5 individuals.

II. 30

Haji Dil Bakhsh to M. A. Jinnah

F. 683/367

[Original in Urdu]

RAILWAY MOSQUE,
SABARMATI, AHMEDABAD,
9 July 1947

Revered Quaid-i-Azam,
Dam Zillakumullah
Assalaamo 'Alaikum

Responding to your appeal for Pakistan Fund, subscriptions from the Muslims of Railway Mosque, Sabarmati (Ahmedabad) the cheques mentioned below for Rs. 278-0-0 had been sent to Ahmedabad Branch for transmission to Delhi. However on the instruction given by Manager, Habib Bank, Ahmedabad, both the cheques had been sent to you for necessary action.

It is hoped that on accepting the same you will send us a receipt. We pray to Almighty *Allah* that He may keep such a patriotic leader of the nation alive among us for a long time to come. *Aameen*.

Cheque No. AD 2164/74 for Rs. 50-0-0

Cheque No. AD 2233/79 for Rs. 228-0-0

Praying for you,

Your humble servant,
HAJI DILBAKHS
Mutawalli

II. 31

Mrs Husnara Ghani to M. A. Jinnah

F. 683/366

21 PERUMAL MUDLY STREET,
ROYAPETTAH, MADRAS,
9 July 1947

Dear Mr. Jinnah,

It has been my long-cherished ambition to find an opportunity to write to you. Now that by the Grace of *Allah* and due to your own unparalleled, superb, and untiringly cold-blooded [sic] statesmanship, we have won our Pakistan; I take the privilege and pleasure of con-

gratulating you most heartily for the greatest achievement which the Muslim world has known of late. May *Allah* the Merciful and Giver of all give you long life and may He bestow in [sic] you the strength and vigour to do the more strenuous tasks which lie ahead of you and Muslim India. We are all aware of the difficult tasks ahead of us.

Please accept my very humble contribution to our Pakistan funds. A cheque of Rs. 200 is enclosed herewith. May I offer my services to the Pakistan Secretariat as an honorary volunteer in any branch of service? As a happy coincidence my husband has gone on transfer to Karachi from here just last week and I will be joining him soon, so I would be delighted to do my bit of service in the Pakistan Secretariat during our stay in Karachi. I am fresh from college having done my Intermediate in Science from Madras. I am aged 19 and can write better than typing.

With all my best wishes for the best of luck in all your efforts,

Yours sincerely,
HUSNARA GHANI
Wife of Major M. A. Ghani

II. 32

*Malik Ghulam Sarwar Awan to Habib Bank Ltd.
(Copy to M. A. Jinnah)*

F. 683/364

ZIARAT, QUETTA, BALUCHISTAN,
9 July 1947

Dear Sirs,

In response to the appeal by the Quaid-i-Azam for contributions to the Pakistan Fund, I have already remitted to you Rs. 150. I am now remitting Rs. 89 more by a separate insured cover which may kindly be acknowledged on receipt.

Please note that in future I will subscribe 15% of my pay to the Pakistan Fund. I am at present serving as an officiating Senior Assistant Stenographer in the grade of Rs. 115-9-160 plus Rs. 15 shorthand pay and my present total monthly emoluments come to Rs. 202-4-0.

Yours faithfully,
MALIK GHULAM SARWAR
Stenographer to the Political Agent, Sibi

Messrs. Habib Bank Ltd.,
Chandni Chowk, Delhi

II. 33

*S.T.R. Salay Mohamed & Co. to Secretary,
All India Muslim League*

F. 683/368

BY AIR MAIL

245 MAIN STREET, COLOMBO,
9 July 1947

[RE:] PAKISTAN FUND

Dear Sir,

We feel proud to inform you that in response to the appeal made by our Quaid-i-Azam Mohammad Ali Jinnah, the Memon Piece-goods Merchants of India in Ceylon sponsored the Pakistan Fund and have collected a sum of Rs. 16,868-4-0 (Rupees sixteen thousand eight hundred sixty-eight and annas four only) so far and still more donations are expected. The list of the donations with their donors' names is enclosed herewith for your record.¹ Further, we have to inform you that a sum of Rs. 16,866-4-0 (Rupees sixteen thousand eight hundred sixty-six and annas four only) has been remitted to the Manager, Habib Bank Ltd., Chandni Chowk, Delhi, in three instalments, which can be seen from the copy of the letter addressed to the said Bank on even date. As soon as further donations are received, they will be duly forwarded to the Bank together with relative list.

Pakistan Zindabad!

Yours faithfully,
NOOR MOHAMED A. KARIM
Partner,
for S.T.R. Salay Mohamed & Co.

The Secretary,
All India Muslim League,
Muslim League Office, Delhi

¹For previous list of donors, see No. 258, Vol. II, 511-2.

Enclosure 1 to No. II. 33

F. 683/369

BY AIR MAIL

245 MAIN STREET, COLOMBO,
9 July 1947

[RE:] PAKISTAN FUND

Dear Sir,

While confirming our letter of the 7th July, 1947,¹ we have the

pleasure to enclose herewith a draft for Rs. 1,849-14-0 drawn in your favour on the Imperial Bank of India, New Delhi, as the third instalment for the said Fund. Kindly acknowledge receipt. The position of the Fund and the remittance are mentioned below:

DEBITS		[CREDITS]	
Rs. 10,000-0-0	Draft No. JI 37868 of 26.6.47	Rs. 16,868-4-0	Contributions received so far from Piece-goods Memon Merchants
9-6-0	Draft Com[mision]		
5,000-0-0	Draft No. JI 37892 of 30.6.47		
4-11-0	Draft Com[mision]		
1,849-14-0	Draft No. JI 37978 of 8.7.47		
2-5-0	[Draft] Com[mision]		
Rs. 16,866-4-0			
2-0-0	Outstanding		
Rs. 16,868-4-0	Balance	Rs. 16,868-4-0	

The Fund is open and some other contributions are expected, which will be duly forwarded to you along with the list of donors.

Thanking you in anticipation and awaiting your early acknowledgment,

Yours faithfully,
[S.T.R. SALAY MOHAMED AND CO.]

The Manager,
Hahib Bank Ltd.,
Chandni Chowk, Delhi

¹Not available in QAP.

Enclosure 2 to No. II. 33

F. 683/372

BY AIR MAIL

245 MAIN STREET,
COLOMBO, CEYLON,
9 July 1947

[RE:] PAKISTAN FUND

ADDITIONAL LIST: PIECE-GOODS MERCHANTS CONTRIBUTIONS

	Total Brought Forward from Last List		Rs. 13,398.00 ¹
31.	Messrs. Sulaiman Valimohamed & Co.	Colombo	Rs. 501.00
32.	Messrs. Haji Mohamed & Sons	Colombo	Rs. 501.00
33.	Messrs. V. M. Abba & Co.	Colombo	Rs. 251.00

34.	Messrs. Ismail Issa & Co.	Colombo	Rs.	251.00
35.	Messrs. O. A. Mohamed	Matara	Rs.	125.00
36.	Messrs. Adambhoy Store	Kandy	Rs.	125.00
37.	Messrs. Eliyas Drapery Store	Colombo	Rs.	125.00
38.	Messrs. Salaymohamed Sons	Colombo	Rs.	125.00
39.	Messrs. M. M. Hassanally & Co.	Colombo	Rs.	101.00
40.	Messrs. H. H. Essa & Co.	Colombo	Rs.	51.00
41.	Messrs. Noorany Store	Wellawetta	Rs.	50.00
42.	Messrs. Farooq Store	Colombo	Rs.	50.00
43.	Messrs. Ahmed Abba	Colombo	Rs.	50.00
44.	Messrs. E. N. Mohamed & Co.	Colombo	Rs.	25.00
45.	Messrs. Habib Taiyub	Colombo	Rs.	25.00
	[Total]		Rs.	15,754.00

STAFF CONTRIBUTIONS

	Total Brought Forward from Last List		Rs.	933.50 ²
21.	Staff of Messrs Haji Mohamed & Sons	Colombo	Rs.	25.25
22.	Staff of Messrs Esmail Essa & Co.	Colombo	Rs.	21.00
23.	One Muslim Gentleman	Colombo	Rs.	25.00
24.	Piece-goods Brokers	Colombo	Rs.	109.50
	[Total]		Rs.	1,114.25
	Rs.15,754.00	Donations received from Merchants		
	Rs. 1,114.25	Donations received from Staff		
	Rs.16,868.25	[Total]		

Still the Fund is open and whenever further donations are received the list will be forwarded for further receipts.

¹See No. 258, Vol. II, 512.

²Incorrect total has been brought forward. See *ibid.*, note 1.

II. 34

M. A. Khan to Habib Bank Ltd., Delhi
(Copy to M. A. Jinnah)

F. 683/375

BARRACKPORE,
10 July 1947

Dear Sir,

Herein enclosed please find a Cheque No. 143052 dated 10 July 1947

on Habib Bank, Calcutta for Rs. 1,000 (Rupees one thousand) in response to the appeal by Quaid-i-Azam M. A. Jinnah to contribute towards Pakistan Fund.

Please acknowledge the receipt.

Yours faithfully,

M. A. KHAN

Manager,

for Khan Sahib Hajee Miran Baksh & Sons,

Army & R.A.F. Contractors

The Agent,
Habib Bank Ltd.,
Delhi

II. 35

Saeeda Karim to M. A. Jinnah

F. 683/373

PRIVATE

DISTRICT MAGISTRATE'S HOUSE,
CHITTAGONG,

10 July 1947

Dear Quaid-i-Azam,

In response to your appeal¹ for raising funds for the relief of those afflicted by the Bihar carnage,² the ladies of Chittagong formed a committee for the purpose. We succeeded in raising Rs. 30,000 and sent an Imperial Bank Draft for the amount drawn in favour of Habib Bank, Bihar Relief Fund, Calcutta, to Khwaja Nazimuddin Sahib³ who was the President of the Bihar Relief Fund Committee. The draft was issued on the 7th May which was within the time prescribed for the closing down of the Fund. Khwaja Sahib took the draft with him to Delhi saying that he would place it before you but for some reasons he could not do so and he has now returned the draft to me saying that it should be sent to you direct. The draft is accordingly enclosed herewith. It is the wish of the members of my committee that the amount may chiefly be spent on the education of the orphans and the resettlement of widows rendered destitute by the Bihar carnage. I request that

you be pleased to accept this humble sum even though it reaches you after the date of the closing down of the Fund.

Yours fraternally,
SAEEDA KARIM
President,

Chittagong Ladies' Bihar Relief Fund Committee

¹Appeal for Bihar Relief Fund was made by Jinnah on 6 November 1946. See *Civil & Military Gazette*, 8 November 1946.

²The anti-Muslim riots in Bihar took place in October-November 1946.

³Member, Working Committee, All India Muslim League; ex-Premier of Bengal.

II. 36

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/382

CHANDNI CHOWK, DELHI,
11 July 1947

Dear Sir,

We beg to enclose letter No. 827 of the 7th instant,¹ received from our Ahmedabad Office and Draft No. 7/80 for Rs. 100.

We shall be grateful if you send us your acknowledgment.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Appendix II. 22.

II. 37

Imperial Bank of India, Bombay, to M. A. Jinnah

F. 683/418

POST BOX NO. 13, BOMBAY,
11 July 1947

Dear Sir,

I beg to acknowledge receipt of your letter of 6.7.47¹ enclosing a

demand draft for Rs. 2,167-13-0 only for credit to your Current Account No. 2.²

Yours faithfully,
[SIGNATURE ILLEGIBLE]
p. Chief Accountant

¹Appendix II. 17.

²See *ibid.*, note 1.

II. 38

Imperial Bank of India, Bombay, to M. A. Jinnah

F. 683/419

POST BOX NO. 13, BOMBAY,
11 July 1947

Dear Sir,

Being unable to obtain payment of the enclosed cheque for Rs. 2,167-13-0¹ on Chartered Bank of India, A[ustralia] & China, for the reason given in the memo. attached thereto, I beg to return it to you herewith.

The amount has been debited to your Current Account No. 2.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
p. Chief Accountant

¹Appendix II. 37.

II. 39

Essop Akoojee to M. A. Jinnah

F. 683/385

P. O. BOX [NO.] 511, PRETORIA,
SOUTH AFRICA,
12 July 1947

Dear Sir,

Assalaamo 'Alaikum

Enclosed please find a Bank Draft of Rupees one thousand eight hundred and fifty and annas nine. This amount is the balance of

collection made by the Muslim Women of Pretoria, Transvaal, South Africa, for the destitute people of Bihar.

I have been requested to convey hearty congratulations on your unique success in achieving Pakistan. May Allah reward you adequately for this.

Yours sincerely,

ESSOP AKOOJEE

for the Muslim Women of Pretoria District

PS. Please acknowledge receipt of the letter containing the draft.

ESSOP AKOOJEE

II. 40

Mohammad Bakhsh to M. A. Jinnah

F. 683/386

NO. 6 DAULAT BUILDING,
BASTI TAINKAN, FEROZEPURE CANTT.,
13 July 1947

Dear Quaid-i-Azam,

Assalaamo 'Alaikum

A bank draft of Rs. 600 has been sent by me to the Habib Bank Ltd., Delhi, under a registered cover on 10.7.47 for credit to the Pakistan Fund account in the above Bank. The account is the first instalment contributed by the Muslim employees of the Field Pay Office, SPC &R, Ferozepore. The bank draft issued by the Imperial Bank, Ferozepore, bears No. BG 92271 of 10.7.47. Please acknowledge the receipt of the amount.

Yours sincerely,

MOHAMMAD BAKHSH

II. 41

Moin Uddin Khan to M. A. Jinnah

F. 683/389

T-61, [RAILWAY COLONY], MORADABAD,
13 July 1947

Revered Quaid-i-Azam,

Respectfully I beg to inform you that I have been remitting funds in connection with the elections and Pakistan Fund. I am herewith again enclosing a cheque for Rs. 30 towards Pakistan Fund.

Similar amounts which I have been remitting uptill now were just according to my capacity and were small indeed, but now a time has come when I can under the zeal for the *Millat* can be of some service to my homeland (Pakistan) by all the force at my humble command.

[Subsequent paras omitted]

I beg to remain,

Sir,

Yours most obedient servant,

M. U. KHAN

*Transportation Inspector Commercial,
East Indian Railway*

II. 42

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/390

CHANDNI CHOWK, DELHI,
14 July 1947

RE: BIHAR RELIEF FUND

Dear Sir,

We have received some gold and silver ornaments said to be of the approximate value of Rs. 300 (Rupees three hundred only) from Bhai Baban Mahamad Chorwadawala, Shegaon, Distt. Buldana, Berar, towards the above Fund.

We shall be grateful if instructions are issued for the disposal of the ornaments.

Yours faithfully,
M. A. SIDDIQUI
Agent

II. 43

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/392

14 July 1947

Dear Sir,

Will you remit immediately Rs. 50,000 (Rupees fifty thousand) to your Calcutta office to be paid to Mr. Ahmad Ispahani, Chairman, Assam Referendum Committee,¹ and oblige.

Yours faithfully,

M. A. JINNAH

The Agent,
Habib Bank Ltd., Delhi

¹Also see Appendix II. 1-3.

II. 44

Moti Stores, Calcutta, to M. A. Jinnah

F. 683/391

99 LOWER CHITPUR ROAD, CALCUTTA

14 July 1947

Beloved Quaid-i-Azam,

Hope you have received our two letters dated 2nd¹ and 5th² inst[ant] enclosing therein [sic] two drafts for Rs. 15 and Rs. 30 towards the Pakistan Fund, respectively.

Today we have deposited a sum of Rs. 20 with the Habib Bank, as per their receipt No. 2027 dated 14.7.1947, towards the Pakistan Fund, as our third instalment, which please note.

Yours obediently,

[SIGNATURE ILLEGIBLE]

¹Appendix II. 8.

²Appendix II. 15.

II. 45

Syed Ahmad Nawab to M. A. Jinnah

F. 683/387-8

ANWAR MANZIL, BIHAR SHARIF,
14 July 1947

Respected Quaid-i-Azam,

In response to your appeal made for the Pakistan Fund the humble self of the distressed and scorched land of Bihar avails the opportunity of contributing a humble sum of Rs. 100 only and for which a draft is herewith attached. A line of its acceptance will much oblige me.

With respect and *Pakistan Zindabad*,

I am,
one from [the] miserable Province,
Yours sincerely,
S. AHMAD NAWAB

II. 46

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 861/110

CHANDNI CHOWK, DELHI,
16 July 1947

Dear Sir,

We received a money order from Jamadar Moh[amma]d Ali, 38 Med[ium] Regt., R.I.A., R.A. Lines, Campbellpore,¹ for Rs. 50 for the relief of Amritsar Muslims. We, therefore, request you to kindly issue us instructions for the disposal of the amount which we are holding in suspense account.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Now called Attock.

II. 47

*M. A. Jinnah to Habib Bank Ltd., Delhi**F. 683/394**16 July 1947*

[RE:] PAKISTAN FUND

Dear Sir,

I am enclosing herewith six demand drafts and two cheques together with three pay-in slips totalling in all Rs. 2,101-10-0 (Rupees two thousand, one hundred and one and annas ten only) which amount, on realization, please credit to the Pakistan Fund account opened with your Bank, and issue receipts direct to donors as per list of their names and addresses attached.

Kindly acknowledge receipt and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

*Enclosure to No. II.47**F. 683/395*

[Amount in Rupees]

- | | | |
|----|--|---------|
| 1. | Bhuramiyan Bannumian (address not given) (Draft 7/72, Habib Bank, Chandni Chowk, Delhi) | 23-10-0 |
| 2. | Haji Dilbakhsh, <i>Mutawalli</i> , Railway Masjid, Sabarmati, Ahmedabad | |
| | (i. Draft 7/79, Habib Bank, Delhi) | 228-0-0 |
| | (ii. Draft 7/74, Habib Bank, Delhi) | 50-0-0 |
| 3. | The Secretary, Sub-Divisional Muslim League, Jangipur, Murshidabad, Bengal (Ch. JP 1022, Dinajpore Bank Limited, Jangipur) | 500-0-0 |
| 4. | M. H. Mirza, Railway Quarters, Bassein Road, Bombay (Draft DC 1, Habib Bank Ltd., Delhi) | 100-0-0 |
| 5. | Abdulkarim Haji Abdulrehman | |

	Boatwala, through Habib Bank, Ahmedabad (Draft 7/80, Habib Bank)	100-0-0
6.	Hakimuddin Khan, Narghat, Mirzapore (Ch. 12623, Jwala Bank Limited, Mirzapore)	100-0-0
7.	Begum Mohammad Sadaqat Ali Khan, Baharistan, Karnal (Draft BD 62054, Imperial Bank of India, New Delhi)	<u>1,000-0-0</u>
	Total	2,101-10-0
(Rupees two thousand, one hundred and one and annas ten only)		

II. 48

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/397

16 July 1947

Dear Sir,

I have received your two letters of the 12th¹ and 14th July² and in reply I beg to inform you that I regret, much as I appreciate the fervour and enthusiasm of the donors, I cannot accept any trinkets or gold and silver ornaments and I, therefore, request you to return them to the owners with my grateful thanks for their support and enthusiastic spirit [that] they have displayed in response to my call for the Pakistan Fund.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

¹No. 131.

²Appendix II. 42.

II. 49

M. A. Jinnah to Syedna Taher Saifuddin

F. 683/398

16 July 1947

My dear Mullaji Sahib,

I have received your two letters of 24th June¹ and 5th July² respectively,

and I acknowledge the remittance for the support of the Muslim League and most cordially thank you for it. I also thank you and your people for giving us their support and sympathy.

As regards the other matters I have noted what you say.

Thanking you again,

Yours sincerely,
M. A. JINNAH

Syedna Mulla Taher Saifuddin Sahib,
Zaini Mehal, Surat

¹No. 235, Vol. II, 485-6.

²No. 44.

II. 50

*Habib Bank Ltd., Bombay, to Abdul Gani Noor Wali
(Copy to M. A. Jinnah)*

F. 683/399

MAHOMEDALI ROAD,
P. O. BOX NO. 3050, BOMBAY,
17 July 1947

Dear Sir,

We have received your draft for Rs. 1,000 through our Managing Director, Seth Dawood Habib, as donation for the Bihar Relief Fund.

We have passed on the same to the management of Bihar Relief Fund and are enclosing herewith our receipt for the same.

We take this opportunity of expressing our thanks to you for the kindness shown.

Yours faithfully,
M. M. PIRANI
Chief Accountant

Abdul Gani Noor Wali, Esqr.,
Jeddah

II. 51

M. M. Zuhuruddin Ahmad to M. A. Jinnah

F. 698/1-5

JUNAGADH, KATHIAWAR,
17 July 1947

My dear Mr. Mohammad Ali Jinnah,

Accept my sincere congratulations for the achievement of Pakistan and also for the opportunity of being in a position to consolidate it as its first Governor-General. I pray to *Allah* that He may grant you health and long life to serve this new Muslim State. The task of its consolidation economically, socially, politically, and most of all educationally is a very difficult one, and can be accomplished only if every Muslim decides to do his best in this direction.

I am herewith attaching a brief statement of my qualification and experience,¹ and leave it to you and your lieutenants to see and decide if *I can usefully serve the new Muslim State in any manner.*² Kindly ask the Junagadh Dewan³ to spare my services for Pakistan.

I am at present employed in the Bombay Educational Service and my services have been lent to Junagadh State as the Principal of Bahauddin College since [*sic*] more than 12 years now.

Herewith a note of the value of Rs. 100 as a contribution for the Fund of Pakistan from my wife out of her savings.

Yours sincerely,
M. M. ZUHURUDDIN AHMAD
M.A., LL. B.,
Principal, Bahauddin College

¹Not printed.

²Underlined in the original, probably by Jinnah.

³Shah Nawaz Bhutto.

II. 52

*Habib Bank Ltd., Delhi, to Hifazat Karrim Qureshi
(Copy to M. A. Jinnah)*

F. 156/235

CHANDNI CHOWK, DELHI,
18 July 1947

RE: PAKISTAN FUND

Dear Sir,

Your Cheque No. 3369 on Grindlays Bank Ltd., Delhi, for Rs. 10-1-0 has been returned unpaid for the following reason:

Full cover not received

We have retained the cheque for further presentation which please note. We shall thank you to please arrange early reimbursement of the amount.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Agent

Mr. Hifazat Karrim Qureshi,
Divisional Accountant, Water Supply C.P.W.D., Ajmer

II. 53

K. A. Mannan to Secretary to M. A. Jinnah

F. 683/407

Bismillah 'ir Rahman 'ir Rahim

MILI[TAR]Y VETERINARY HOSPITAL,
WANA, WAZIRISTAN, N.W.F.P.,
18 July 1947

Dear Sir,

This is to intimate you for record that I forwarded Cheque No. BA1 38182 I.B.I. [Imperial Bank of India], Amritsar, dated 18 July [19]47, for Rs. 300 only, in favour of Habib Bank & Co., Delhi, in response to recent

appeal of Quaid-i-Azam for Pakistan Fund. The cheque was forwarded to Manager, Habib Bank & Co., Delhi, with a forwarding letter.

Yours faithfully,
K. A. MANNAN
Capt., I.R.V.C.¹

¹Indian Remounts and Veterinary Corps.

II. 54

Mahmood E. Moolla to M. A. Jinnah

F. 683/400

REG[ISTERED]/AIR MAIL

464 DALHOUSIE STREET,
P.O. BOX NO. 307, RANGOON,
18 July 1947

Dear Quaid-i-Azam,

Herewith the humble offerings (Demand Draft No. 90/23 for Rs. 2,008 on the Mercantile Bank of India Ltd., Delhi) in reply to your appeal. I realize that this is a small amount and cannot be of any substantial good. However, I have done my individual best and hope to keep up further contributions in future instalments also. Kindly acknowledge receipt to be handed over to the contributors as under:

	[Amount in Rupees]
Mr. S. M. Bashir	801
Mr. Ziaul Haq	201
Messrs. M. D. Omer & Sons	201
Messrs. Aly Husain Sharafally	201
Messrs. Globe Traders	201
Messrs. B. H. Moolla	201
Messrs. Memon Stores, Meiktila	101
Messrs. Atcha Shoe Co., Mandalay	101
[Total]	2,008

Further, some of my friends and myself are contemplating to open up a branch of All India Muslim League here at Rangoon so that the voice of the one hundred and twenty five thousand Indian Muslim residents of Rangoon be felt, but before this can be taken up it is necessary to take permission from the parent body in India. Will you therefore guide us and let us know whether this body if opened will

be affiliated to the All India Muslim League and also send me necessary instruction to this effect?

Wishing you a long life and assuring you of any services entrusted,

I am,

Yours sincerely,

MAHMOOD E. MOOLLA

II. 55

*Mohammad Khan & S. Bashir Hussain to Manager,
Habib Bank Ltd., Delhi
(Copy to M. A. Jinnah)*

F. 861/111-2

PERSONAL

17 RAJPUT REG[IMEN]T,
BAIRD BARRACKS,
BANGALORE CANT[ONMEN]T,
18 July 1947

We are sending herewith a sum of Rs. 26 only by money order as a subscription for Pakistan Fund.

Please accept cheerfully and acknowledge receipt.

In future we have decided to send you monthly subscription for Pakistan Fund which will be our one day's pay.

Details of the above-mentioned subscription are as under:

	[Amount in Rupees]
Hav./Clerk Moh[amma]d Khan	10
Hav./Clerk S. Bashir Hussain	10
Hav./Clerk Pir Moh[amma]d	5
Hav./Clerk Moh[amma]d Shaffi	<u>1</u>
Total	26

Yours sincerely,

MOHD. KHAN
S. BASHIR HUSSAIN

II. 56

M. S. Eusuf Sarkar to M. A. Jinnah

F. 683/403

THE ABUBAUKAR SIDDIQUE
COTTON MILLS LTD.,¹
27B CHITTARANJAN AVENUE, CALCUTTA,
18 July 1947

Respected Sir,

I am really sorry to inform your kind honour that it was hopelessly late to remit the sum of Rs. 249-8-0 as unfortunately your kind note of the 14th April² has reached me the other day. Please excuse me for the trouble I have given your kind honour.

Please note that the cheque of Rs. 249-8-0 on Nath Bank Ltd., Kushtia Branch, is sent herewith. The cheque is a crossed cheque and its No. [is] 00370.

Thanking you in anticipation,

Yours truly,
M. S. EUSUF SARKAR

¹Its registered office and factory was located at Halsa, District Nadia, Bengal.

²Not available in QAP.

II. 57

Secretary, Anjuman-i-Himaitul Islam, Zomba, to M. A. Jinnah

F. 908/108

ZOMBA, NYASALAND,¹ AFRICA,
18 July 1947

Ruh-i-Millat, Kishwar-i-Pakistan, Quaid-i-Azam M. A. Jinnah

Dear Sir,

First of all we all Muslims of Zomba heartily support you and Muslim League and pray to *Allah* that He may give you long life. I request [sic for inform] you that I have not received the receipt of £170 which were sent to Habib Bank, Delhi, for Bihar *Mazlums*. That sum

was collected by Muslims of Zomba, and also I had sent you the sum of £107 on 16 July 1947. That sum was also collected by the Muslim Women of Zomba for Bihar *Mazlums*. I heard that you have ordered to stop [*sic* for discontinue] Bihar Fund; therefore I had sent the sum on [*sic* for in] your name at Bombay. I request you to spend that sum in whatever way you like.

Excuse me for the troubles put on [*sic*],

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Secretary, Anjuman-i-Himaitul Islam

¹Now called Malawi.

II. 58

Suriya Minhas to M. A. Jinnah

F. 683/401

OFFICE OF MUSLIM GIRLS STUDENTS FEDERATION,
NEHRU ROAD, RAWALPINDI CITY,

18 July 1947

Our dearest Quaid-i-Azam,

I sent you a draft on the Imperial Bank for Rs. 1,000 for Pakistan Fund on the 5th instant¹ [*sic* for 2 July] under a registered cover (A. D.). I have not had any acknowledgment until now.

Kindly let me know if you received the draft. If not, would you please ask your Secretary to enquire from the post office.

I warmly congratulate you on behalf of the Muslim Girls Students Federation, Rawalpindi, on your accepting office as Governor-General of Pakistan.

Pakistan Zindabad!

Yours most obediently,
SURIYA MINHAS
Secretary

¹Appendix II. 9.

II. 59

M. I. Pochee to M. A. Jinnah

F. 861/123

P.O.BOX 123, 113 PIET RETIEF STREET,
STANDERTON, TRANSVAAL,

21 July 1947

Dear Quaid-i-Azam,

Assalaamo 'Alaikum

All the praise is due to Almighty *Allah* for our success and well-being.

We have enclosed herewith a draft for Rupees 79 and annas 5 which small contribution is to your Pakistan Fund appeal. Kindly acknowledge.

May Almighty *Allah* crown your and our cause [with] still greater success.

Sincerely yours,
M. I. POCHEE

II. 60

*The Punjab Provincial Muslim League, Lahore, to the Manager,
Habib Bank Ltd., Lahore*

F. 156/241-2

OFFICE OF THE PUNJAB PROVINCIAL MUSLIM LEAGUE,
CINEMA SQUARE, McLEOD ROAD, LAHORE,

21 July 1947

Dear Sir,

Draft No. AM 24173, dated 28th June, 1947, for Rs. 3,700 drawn on the Imperial Bank of India, Lahore.

Enclosed herewith please find the above draft for Rs. 3,700 which kindly collect from the drawees. I further request you kindly to remit the proceeds thereof to your Delhi Office for credit to the Pakistan Fund Account started on the appeal made by Quaid-i-Azam as donations by the Muslims of Burma Regiment through Hony. Captain Anar

Khan, O.B.[I.], I.D.S.M., Village Khandowa, P.O. Kallar Kahar, Distt. Jhelum (Punjab).

Yours faithfully,
M. A. F. HAQUE
Accountant

Copy forwarded to Quaid-i-Azam Mohammad Ali Jinnah, President, All India Muslim League, New Delhi, for favour of information and with the request that a receipt may kindly be sent to Hony. Captain Anar Khan, O.B.[I.], I.D.S.M., Village Khandowa, P.O. Kallar Kahar, Distt. Jhelum (Punjab).

II. 61

American Express Co., Bombay, to M. A. Jinnah

F. 683/410

NAVSARI BUILDING,
240 HORNBY ROAD, BOMBAY,
22 July 1947

Dear Sir,

In payment of a mail remittance of \$39.00 received to-day from our New York office for the equivalent of the amount at exchange 328 $\frac{3}{4}$ we enclose our cheque for Rs. 128-3-0. Kindly acknowledge receipt of this payment. We are informed that this remittance is from M. Qasim Siddiqui.

Yours truly,
[SIGNATURE ILLEGIBLE]
Manager,
The American Express Co. Inc.

II. 62

Chief Manager, Dacca Nawab Estate, to M. A. Jinnah

F. 683/411

CHIEF MANAGER'S OFFICE,
DACCA NAWAB ESTATE, DACCA,
22 July 1947

Sir,

I beg most respectfully to send a Draft No. AQ 25771 of Rs. 123 (Rupees one hundred and twenty three) only, on Imperial Bank of India, Bombay, as a contribution to the Pakistan Fund, raised from the Muslim officers and office staff of the Chief Manager's Office of the Dacca Nawab Estate at Dacca.

The amount may kindly be accepted though insignificant.

With regards,

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Chief Manager

II. 63

Habib Bank Ltd., Delhi, to Zaheda Khatun
(Copy to M. A. Jinnah)

F. 683/413

CHANDNI CHOWK, DELHI,
22 July 1947

[RE:] PAKISTAN FUND

Dear Sir [*sic* for Madam],

Your Cheque No. 27194 on Imperial Bank of India, Calcutta, has been returned unpaid for the following reason:

Alteration in payee's name requires full signature.

We return the cheque herewith [and] shall thank you to please arrange early reimbursement of the amount.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Agent

Mohtarma Zaheda Khatun,
113 Upper Circular Road,
Calcutta

II. 64

National Bank of India, Delhi, to M. A. Jinnah

F. 683/412

DELHI,
22 July 1947

Dear Sir,

We beg to advise having received from Barclays Bank (D.C. & O.), Durban, a telegraphic remittance in your favour for Rs. 4,956-15-4.

We, therefore, enclose a receipt form in duplicate for the amount which kindly stamp, sign, and forward to your bankers for presentation to us for payment.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Manager

II. 65

Habib Bank Ltd., Delhi, to M. Inayatullah Khan
(Copy to M. A. Jinnah)

F. 156/246

CHANDNI CHOWK, DELHI,
23 July 1947

RE: PAKISTAN FUND

Dear Sir,

Your Cheque No. 55955 on Punjab National Bank, Rawalpindi, has been returned unpaid for the following reason:

Maximum withdrawal permissible amount is Rs. 500 (not more than 500) under rules.

We return the cheque herewith. We shall thank you to please arrange early reimbursement of the amount.

Yours faithfully,
[SIGNATURE ILLEGIBLE]
Agent

M. Inayatullah Khan,
65 Dalhousie Road, Rawalpindi

II. 66

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 156/247

CHANDNI CHOWK, DELHI,
23 July 1947

Dear Sir,

We beg to advise that the Pakistan Fund Account has been debited with Rs. 35 being the amount of Money Order No. 8080 received from Mr. M. R. Khan, 14/2 Bhagwan Das Bank Building, Dehra Dun, favouring Mr. K. U. Khan, a member of staff of this Bank. This amount was wrongly credited to the above account on 21.7.47 by an oversight, as it was received with the lot of Pakistan Fund Money Orders.

The error is greatly regretted.

Yours faithfully,
M. A. SIDDIQUI
Agent

II. 67

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/414

CHANDNI CHOWK, DELHI,
23 July 1947

RE: PAKISTAN FUND

Dear Sir,

We acknowledge your letter of the 16th instant,¹ received today, and its enclosures, viz. six drafts and two cheques aggregating Rs. 2,101-10-0 in amount.

As desired receipts will be issued to the donors on realization.

Yours faithfully,
M. A. SIDDIQUI
Agent

¹Appendix II. 47.

II. 68

*M. A. Jinnah to Habib Bank Ltd., Delhi**F. 588/457**23 July 1947*

Dear Sir,

I am enclosing herewith two demand drafts and a duplicate receipt with a pay-in slip for the total of Rs. 759-7-0 (Rupees seven hundred and fifty-nine and annas seven only) which amount, on realization, please credit to the Pakistan Fund Account opened with your Bank and issue receipt direct to the donors as per their names and addresses given below:

- | | |
|---|--------------------------|
| 1. Nawab S. Ahmad, Anwar Manzil, Bihar Sharif
(Dr[a]ft Bharat Bank) | Rs. 100-0-0 |
| 2. A. E. Jassat, The Bargain House,
General Merchant, Church Street,
Bethal (Transvaal, S.Africa)
(Dr[a]ft from Barclays Bank on
Eastern Bank Ltd., Bombay) | Rs. 330-7-0 |
| 3. M. A. K. Tareen, Toronto
(address not given; remittance
through Lloyd's
Bank Ltd., New Delhi) | Rs. 329-0-0 ¹ |

Total Rs. 759-7-0
 (Rupees seven hundred and fifty-nine and annas seven only)
 Kindly acknowledge receipt and oblige.

Yours sincerely,
M. A. JINNAH

The Agent,
Habib Bank Ltd., Delhi

¹See No. 121.

II. 69

Habib Bank Ltd., Delhi, to M. A. Jinnah

F. 683/415

CHANDNI CHOWK, DELHI,
24 July 1947

RE: AUDIT REPORT OF BIHAR RELIEF FUND—DEBIT
OF RS. 300-6-0 ON 21-12-46

Dear Sir,

On a careful scrutiny of our records we have found that the amount of Rs. 300-6-0 represented proceeds of a bill of one of our constituents and was wrongly credited to the Bihar Relief Fund on 13.12.46. This amount is included in the entry of Rs. 7,325-9-0 of the same date.

The debit entry of Rs. 300-6-0 on 21.12.46 reverses the wrong credit of the 13th December. We hope this would satisfy the Auditor.

Yours faithfully,
M. A. SIDDIQUI
Agent

II. 70

Mohammad Ullah to Habib Bank Ltd., Delhi
(Copy to M. A. Jinnah)

F. 861/113

TRAFFIC BRANCH, ORDNANCE DEPOT,
SHAHJAHANPUR,
24 July 1947

Pakistan Zindabad

SUB: PAKISTAN FUND

Dear Sir,

Reference your letter P.F. No. Nil dated 18.7.47¹

Fresh Cheque No. 4/009097, d[alt]ed 24.7.47, worth Rupees one hundred only on Allahabad Bank Ltd., Shahjahanpur, is sent herewith.

Please acknowledge receipt.

Yours faithfully,
MOHAMMAD ULLAH
Head Clerk

¹Not available in QAP.

II. 71

M. A. Jinnah to Habib Bank Ltd., Delhi

F. 683/416

25 July 1947

BIHAR RELIEF FUND

Dear Sir,

I am enclosing herewith a demand draft on the Imperial Bank of India, Calcutta, for Rs. 30,000 (Rupees thirty thousand only)¹ with a pay-in slip, which amount please realize and credit to the Bihar Relief Fund Account opened with you. Please issue the receipt of the said amount to:

Mrs. F. A. Karim,

President, Chittagong Ladies Bihar Relief Fund Committee,
District Magistrate's House, Chittagong

Please acknowledge receipt and oblige.

Yours faithfully,
M. A. JINNAH

The Agent,
Habib Bank Ltd.,
Chandni Chowk, Delhi

¹See Appendix II. 35.

II. 72

M. A. Jinnah to Mrs F. A. Karim

F. 683/374

25 July 1947

Dear Sir [sic for Madam],

I am in receipt of your letter of 10th July¹ enclosing a draft of Rs. 30,000 for the Bihar Relief Fund. I note that the draft was issued on the 7th of May, 1947, which was in the time prescribed for the closing down of the Fund,² but somehow owing to circumstances mentioned by you in your letter it was [not] delivered to me earlier.

I most thankfully accept this very handsome generous collection that was made in response to my appeal by the Muslim ladies of Chittagong who formed themselves into a Committee for the purpose. Please convey my grateful thanks to each and every one of them for all

the trouble they have taken and responded to my appeal so promptly.

I am sending this draft to the Habib Bank, Delhi, for credit to the Bihar Relief Fund and once more let me thank you as the President and all the members of the Committee.

Yours faithfully,
M. A. JINNAH

Mrs. F. A. Karim,
District Magistrate's House,
Chittagong

¹Appendix II. 35.

²Jinnah in his statement of 23 April 1947 announced the closure of the Bihar Relief Fund from 15 May 1947. See No. 340, Vol. I, Part I, 590.

II. 73

Syed Ahmad Nawab to M. A. Jinnah

F. 683/258

BIHAR SHARIF, PATNA,
25 July 1947

Respected Quaid-i-Azam,

A draft Cheque No. 854792 dated the 14th July¹ for Rs. 100 has been sent to you for the Pakistan Fund under Registered Cover No. 202 as a humble donation but unfortunately I have no information about its safe delivery as yet.

May I request you to kindly favour me with your kind reply,

With respect and *Pakistan Zindabad*,

Yours sincerely,
S. AHMAD

¹See Appendix II. 45.

SECTION B

II. 74

F. 156/171-4

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
1 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
A. Salauddin	Delhi	5		
Tajuddin	Delhi	5		
Special Committee Courts	Colombo	23		
S. A. Jawaid	Delhi	10		
Zahir Ahmad	Bangalore	38		
Tufail Ahmad	Delhi	10		
Syed Mohammad Anwar	Dinapore	155		
Fakir Mohammad	Mahrouli	20		
K. H. Mir	Jodhpur	20		
Abdul Rehman				
Abdul Razak	Madras	32		
S. Nami	Madras	100		
Ahmad Ali	Madras	131		
Dr. Ahmad Husain Shami	Delhi	25		
S.A. Sabir Ali	Agra	100		
S. Norruddin	Calcutta	50		
Moosa Ahmad	Bombay	101		
Major G.H.K.Niazi	Bombay	100		
Public of Jaora	Jaora	15,000		
The Barr High School	Jaora	53-9-0		
M.A. Jafery	New Delhi	100		
S.M. Shakir	Delhi	100		
B. A. Jan	New Delhi	40		
Messrs. S.T.R Salay [Mohamed] & Co.	Colombo	10,000		
Ch. Bashir Ahmad	Kotri (Sind)	100		
Imperial Store	Roorkee	175		
Dawood Ali	Lahore	50		
Syed Mahmood Husain	Lahore	20		
K.H. Abdul Latif & K. Abdul Aziz	Lahore	100		
Shaukat Ali Qureshi	Lahore	80		
Sh. Mubarak Ali	Lahore	1,000		
Koh-i-Noor Printing Press	Lahore	200		
Zubair Bin Wali	Lahore	50		
N.U. Malik	Lahore	40		
Mirza Ghulam Ahmad	Lahore	10		
M. Mohammad Sadiq	Lahore	50		
M. Abdul Haq	Lahore	10		
Begum Syed Mohammad Hasan	Lahore	400		
191 Money Orders received from donors				

as per detail given in the

Pass Book		5,668-7-0
Mst. Iqbal Begum	Lahore	1,500
Khalid Mahmood Butt	Lahore	5
Nazrul Rahman	Lahore	478
Maulana Maqbool Ahmad	Lahore	40
Mohammad Sakhi	Lahore	50
Akmaluddin	Lahore	50
Ripon Printing Press	Lahore	100
Mohammad Afzal Qureshi	Lahore	162
Inhabitants of Basti Nabipura	Lahore	34
Mohammad Yousuf	Lahore	20
Capt. S.A.H. Durrani	Lahore	100
G. Ghulam Ellahi Bux	Lahore	200
Fakhar Uddin	Lahore	200
Karam Ellahi	Lahore	25
Mushtaq Ahmad	Lahore	100
Fakhruddin	Lahore	20
Capt. Ghulam Bux	Lahore	10
Salahuddin	Lahore	268

[Total]

36,882

Total receipts of the previous day

29,920-7-0

Grand total of donations received

66,802-7-0¹

Fawcet & Co.	Rawalpindi	51	P.F. 85
Inayatullah Khan	Rawalpindi	501	P.F. 86
Mahbub Khan	Jandola	100	P.F. 87
M.A. Farooqi	Kala Bagh	20	P.F. 88
[Total]		672	

[SIGNATURE ILLEGIBLE]

Accountant

M. A. SIDDIQUI²
Agent¹See brief statement of receipts as on 1 July in F. 156/170, QAP. Not printed.²Daily accounts were signed by the Agent and the Accountant. In the daily accounts which follow, the signatures have been omitted.

II.75

F. 156/176-9

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
2 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Shahid Hasan	Qaziabad	100		
Noor Mohammad	New Delhi	20		
Bashir Ahmad	New Delhi	10		
Ghulam Mustafa	New Delhi	100		
Kh. Mahmood Akhter	New Delhi	15		
Mubarak Husain	New Delhi	10		
A.R. Qureshi	New Delhi	5		

Inayat Ali	New Delhi	6	
Salim Ullah	New Delhi	24	
Barkatullah	New Delhi	20	
A.R. Rashid	New Delhi	2	
Mubarak Ahmad	New Delhi	3	
Mohammad Latif	New Delhi	20	
Maqsood Ahmad	New Delhi	14	
Mohammad Tufail	New Delhi	18	
M.A. Ansari	New Delhi	6-8-0	
Mohammad Wajib Khan	New Delhi	15	
Abrar Husain	New Delhi	10	
Imdad Ahmad	New Delhi	16	
Siddiq Ahmad	New Delhi	15	
A.B. Malik	New Delhi	6	
Syed Ahmad	New Delhi	6	
A.H. Sultan	New Delhi	6	
Said Ahmad	New Delhi	10	
Hamidullah Khan	New Delhi	7	
M.A.H. Siddiqi	New Delhi	26	
P. Niamatullah	New Delhi	23	
M.M.A. Qarni	New Delhi	15	
M. Shafi Ahmad	New Delhi	7	
Hashmatullah	New Delhi	8	
Sardar Mohammad	New Delhi	5	
Iqbal Mohammad	New Delhi	10	
Mohammad Salim	New Delhi	118	
Shaukat Ali	New Delhi	53	
Mohammad Mazahir	Gorakhpur	200	
M.A. Wahid	Delhi	150	
Mohammad Yousoff	Delhi	10	
Hafiz Hasan	New Delhi	100	
Agha Zulfiqar Ali	New Delhi	100	
Muslim staff, All India Radio	New Delhi	519	
Azizuddin	New Delhi	400	
M. Haroon Khan	Sakrand	340	
Seth Ismail Haji Ibrahim	Coconada	1,500	
S. Abdul Salam	Madura	100	
A.K. Kadar	Tellechery	25,000	
M/S Khair Mohammad Bros.	Kirkee	100	
Abdul Rashid Khan	Simla	100	
Mohammad Saïdar	Sialkot	400	
Syed Fakhruddin	Yol	140	
Aziz Ahmad	Amraoti	51	
Mohammad Ibrahim	Samastipur	60	
Mohammad Umar Shah	Phulera	100	P.FOB.C. 10 realised
Abdul Majid	Meerut	25	P.FOB.C. 27 realised
Nazir Ahmad Khan	Bhopal	25	P.FOB.C. 9 realised
Total of the day		30,149-8-0	
Less two cheques returned by the payee Bank which have been re-lodged		10,340	
[Total]		19,809-8-0	
Total receipts of the previous day		66,802-7-0	
Grand total of the donations received		86,611-15-0 ¹	
M.M. Bashir	Hyderabad	150	
Incegnito	Karachi	50	
A. Majid	Kohat	100	
Saadat Ali	Multan	50	
S.M. Ilahi	Bombay	100	
Shamsul Alam	Calcutta	100	
C.F. Ali	Calcutta	10	
M. Yahya	Calcutta	100	
Shafia Khan	Calcutta	100	
Shafia Khan	Noakhali	100	
Shafia Khan	Noakhali	2,500	
[Total]		3,360	

¹See brief statement of receipts as on 2 July in F. 156/175, QAP. Not printed.

II. 76

F. 156/181-3

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
3 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Hamid Ali Shah	New Delhi	100		
Abdul Hamid	New Delhi	10		
Syed Zulfiqar Ali	New Delhi	75		
Armed Forces H.Q. Muslim Employees	New Delhi	1,900		
Qurban Ali	Delhi	5		
Zakir Husain Ansari	New Delhi	15		
Khurshid Ahmad	New Delhi	7		
Abdul Samad	New Delhi	6		
M. Modood Mian	New Delhi	5		
Ikramullah Khan	New Delhi	55		
E.A. Khan	New Delhi	28		
N.A. Khan	New Delhi	19		
M.A. Khan	New Delhi	11		
Mohammad Latif	New Delhi	7		
S.R.A. Naqvi	New Delhi	7		
Mohammad Rafi	New Delhi	10		
Rashid Ahmad	New Delhi	20		
Z.H. Qureshi	New Delhi	25		
N. Ansari	New Delhi	5		
Mubarak Elahi	New Delhi	5		
Husain Ali Khan	New Delhi	15		
Ahmad Baksh	New Delhi	5		
Merajuddin	New Delhi	10		
Mohammad Ishaq	New Delhi	5		
Mohammad Ramzan Khan	New Delhi	20		
Inayatullah	New Delhi	50		
Noor Mohammad	New Delhi	5		
Abdul Hamid	New Delhi	10		
Abdul Latif	New Delhi	10		
H. Hyder	New Delhi	10		
Wasal Ahmad	New Delhi	7		
Mohammad Siddiq	New Delhi	5		
Mohammad Yasin	New Delhi	5		
Iftikhar Ahmad	New Delhi	4		
Ashfaq Husain	New Delhi	3		
Taj Mohammad	New Delhi	2		
Akhlaq Mohammad	New Delhi	1		
Mohammad Razi Khan	New Delhi	1		
Abdul Qaddus	New Delhi	1		
Bashiruddin	New Delhi	1		
Azhar Mohammad	New Delhi	1		
Mohammad Iqbal	New Delhi	10		
Majlis-i-Islamia	Delhi	652-8-0		
Sufi Ghulam Qadir	New Delhi	80		
Karim Baksh	New Delhi	25		
Mujibur Rehman	New Delhi	95		
F.M. Qureshi	New Delhi	10		
Hafiz Imamuddin	New Delhi	10		
Mohammad Abdul Elahi	New Delhi	400		

M.O.H. Qureshi	New Delhi	20	
Afzal Mian	New Delhi	160	
A.J.Sidhu	New Delhi	160	
Dr. Anwar Ahmed	New Delhi	10	
M.M. Qureshi	Delhi	50	
Syed Siddiq Hassan	New Delhi	150	
Ali Mohammad	Sheikhupura	500	
Major M.H. Shah	Delhi	100	
Ebrahim Mohammad	Coimbatore	1,261-2-6	
Mohammad Asghar Shah	Tank	419-6-0	
S.T.R Salay Mohamed	Colombo	5,000	
S.T.R Salay Mohamed	Colombo	10,000	Re-lodged
M.Ghulam Rasool & Sons	Calcutta	500	
Incognito	Calcutta	100	
Alauddin & Co.	Cawnpore	20	
Ahmad A. Gangriwala	Jalgaon	51	P.FOB.C. 32 realized
Ghulam Husain V.Patel	Bombay	200	P.FOB.C. 44 realized
Mohammad Yaqub	Lucknow	200	P.FOB.C. 46 realized
Captain Fateh Khan	Karachi	50	P.FOB.C. 36 realized
Begam Mohammad Issa Alvi	Deccan	101	P.FOB.C. 31 realized
Total receipt of the day		22,821-6-0	
Total receipt of the previous day		86,611-15-0	
Grand total of the donations		109,432-15-6 ¹	
Athar Shafi	Bareilly	30	P.FOB.C. 100
Syed Siddiq Hasan	Benares	50	P.FOB.C. 101
S.R. Husain	Bareilly	101	P.FOB.C. 102
Gulzar Ahmad	Peshawar	100	P.FOB.C. 103
M. Kirmani	Patna	100	P.FOB.C. 104
Salahuddin	Bhopal	100	P.FOB.C. 105
A.R. Khan	Okara	100	P.FOB.C. 106
A.R. Nazir	Multan	100	P.FOB.C. 107
Abdul Rehman	Meerut	50	P.FOB.C. 108
Abdul Rehman	Meerut	500	P.FOB.C. 108A
Li. S. Zakir Husain	Jubbulpur	110	P.FOB.C. 109
A.M. Khan	Saharanpur	100	P.FOB.C. 110
Zamirun Nisa	Allahabad	50	P.FOB.C. 111
Zamirun Nisa	Allahabad	50	P.FOB.C. 112
Zamirun Nisa	Allahabad	428	P.FOB.C. 113
Zamirun Nisa	Allahabad	250	P.FOB.C. 114
Zamirun Nisa	Allahabad	100	P.FOB.C. 115
Zamirun Nisa	Allahabad	50	P.FOB.C. 116
Fakhruddin	Bombay	1,000	P.FOB.C. 117
Rajab Ali	Bombay	500	P.FOB.C. 118
M.Yakub	Lahore	200	P.FOB.C. 119
M. Masood Ali	Hyderabad, Deccan	100	P.FOB.C. 120
[Total]		4,169	

¹See brief statement of receipts as on 3 July in F. 156/180, QAP. Not printed.

II. 77

F. 683/376-7

BIHAR MUSLIM LEAGUE CENTRAL RELIEF COMMITTEE, PATNA
STATEMENT OF INCOME AND EXPENDITURE
FOR THE MONTH OF MARCH 1947

	PATNA, <i>Undated [4 July 1947]¹</i>		
Income	Rs. As. Ps.		
Donation received	669 -12 -0		
Amount received from Quaid-i-Azam Fund through the President ² of the Committee (Cheque No. 58806 on 29.3.47)	30,000	-0	-0
Total received	30,669	-12	-0
Previous balance ³	21,764	-2	-9
Grand Total	52,433	-14	-9
Expenditure			
1. Food of vol[unteers] and refugees	7,170	-7	-9
2. Transport	7,951	-3	-3
3. Travelling expenditure	8,729	-6	-0
4. Legal aid	572	-4	-0
5. Medical	82	-0	-0
6. Establishment	1,989	-6	-9
7. Clothing department	8,887	-11	-0
8. Cottage industry	1,202	-10	-0
9. Miscellaneous	750	-0	-0
10. Miscellaneous "A" & "B" marriage and burial help	1,293	-5	-0
11. Information and statistics	100	-0	-0
12. Grant to district[s]	2,643	-8	-0
13. Education	2,801	-6	-3
14. Post[age] & telegram[s]	569	-3	-0
Total	44,742	-7	-0

¹Though undated, this document bears the office stamp of Bihar ML Central Relief Committee dated 4 July.

²Khwaja Nazimuddin. See No. 447, note 1, Vol. I, Part I, 806.

³This figure differs from the balance in hand for the period ending 28 February as shown in No. 268, *ibid.*, 468.

II. 78

F. 156/188-90

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
5 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
G.H. Niazi	Delhi	70		
Bakhtiar Ahmad	New Delhi	72		
Muslim Clerical Staff	Meerut	124		
Muslim Staff of M.A.G.	New Delhi	90		
Nazir Ahmad	New Delhi	10		
Yousuf Shah	New Delhi	10		
Badruddin Salim	New Delhi	10		
Rizwi	New Delhi	10		
Nasarulla Khan	Delhi	85-2-0		
Mohammad Din	New Delhi	20		
M. A. Qureshi	New Delhi	10		
Mohammad Ibrahim	New Delhi	10		
Nasiruddin	New Delhi	10		
Ganga Din	New Delhi	2		
Ishtiaq Ali	Delhi	100		
Inamuddin	New Delhi	306-2-0		
M/S Vohra Bros.	Bombay	7-15-0		
Mohammad Ali & Co.	Bombay	200		
Hakim Faiz Mohammad	Lahore	15		
Mohammad Nawazish				
Ali Khan	Lahore	25		
Begum Saida Bano	Lahore	500		
Sh. Mohammad Yasin	Lahore	300		
M. Din Mohammad	Lahore	100		
Umar Abdul Habib	Lahore	46-10-0		
Supervising staff of Clothing Factory, N.W.F.	Lahore	175		
Yar Mohammad	Lahore	34		
Khalid Rahman and				
Fazal Rahman	Lahore	50		
A.M. Rathor	Lahore	20		
Amir Din	Lahore	5		
Nazir Husain	Lahore	5		
Khadim Husain	Lahore	5		
Fateh Din	Lahore	5		
Mohammad Shafi	Lahore	76-8-0		
Ch. Karim Bux and				
Molvi Ghulam Rasul	Lahore	42		
Mrs. Abdul Majid Khan	Jullundur	500		
Alauddin	Solan (Simla Hill)	468		
Din Mohammad Soomro	Mirpurkhas (Sind)	50		
Shaukat Ali	Delhi	9		
M.A.H. Khairi	Delhi	300		
Mansha Ali	Delhi	90		
Haji Suleman H. Ebrahim	Delhi	275		
Hakim Mohammad Usman	Gujrat	331		
Total balance of the day		4,574-5-0		
Balance of the receipts of donations of previous day		109,432-15-6		
[Total]		114,007-4-6		

Less 3 cheques returned in
clearing which have been
re-lodged Amt. Rs. 5000-0-0,
Rs. 419-6-0 & Rs 9-0-0

		<u>5,428-6-0</u>	
Grand total of the donations received		108,578-14-6 ¹	
Ali Bhoy Mamooji	Rawalpindi		250
Ali Bhoy Mamooji	Rawalpindi		100
Ali Bhoy Mamooji	Rawalpindi		50
Ali Bhoy Mamooji	Rawalpindi		100
Ali Bhoy Mamooji	Rawalpindi		710
N.H. Khandakar	Aligarh		201
Mrs. Akhtar Iqbal	Moradabad		100
Azmat Ali	Hoshiarpur		100
Jawad Bros.	Amritsar		50
A.B. Zuberi	Shahjahanpur		<u>25</u>
(Total)			1,686

¹See brief statement of receipts as on 5 July in F. 156/187, QAP. Not printed.

II.79

F. 156/192-5

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
7 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Mohammad Saeed	New Delhi	15		
Mohammad Amanullah	New Delhi	15		
Mohammad Ikram	New Delhi	5		
Salahuddin	New Delhi	3		
M.B. Khan	New Delhi	68		
Ali Sher	Delhi	20		
President, Timarpur P.F. Com[m]ittee	Delhi	511-12-0		
Amanat Ali	Sahib Ganj	272		
Naseem Ahmad	Mukieswar Kumaon	100		
Sh. Amiruddin	Multan Cantt.	200		
T.P. Qureshi	Jabbali, Bangalore	135		
Mohammad Khan	Simla	150		
M. A. Sharieff	Hyderabad,			
	Deccan	100		
F.S. Salahuddin	Delhi Cantt.	100		
Muslim Employees Labour Dept.,	New Delhi	346		
Muslim Employees	Magura	210		
Miss Saida	Delhi	10		
Miss Salima	Delhi	5		
Niaz Mohammad Sh.	Lahore	225		
Abdul Zaman	Peshawar	160		
Khan Mohammad Zaman Khan	Gujrat	100		
Zahid Khan	Katni	200		
M. A. Kamil	Jaunpore	36-8-0		
Mohammad Rafiq	Peshawar	329-12-0		
Abdul Hakim	Simla	130		

Sh. Abdul Hakim	Delhi	100		
K.S. Mohammad Nasrulla	Delhi	100		
Khan Bahadur M. Aslam	Delhi	100		
Hamid Husain	New Delhi	335		
Hamid Husain	New Delhi	100		
Mohammad Zahir Khan	Saharanpur	550		
Mohammad Asghar Shah	Tonk	419-6-0		
S.T.R.Salay Mohamed & Co.	Colombo	5,000		
M. Haroon Khan	Sakrand	340		
Captain M.A. Khan	Bhopal	100		
M.I. Malik	Jodhpur	200		
Mohammad Khan	Delhi	41		
Abdul Sattar	Jamnagar	41-4-0		
Mumtazur Rahman	Calcutta	25		
Muslim Medical Students	Calcutta	85		
G. Rasool	Calcutta	5		
Telegraph Muslim Employees Association	Calcutta	183		
Railway Works Fund	Calcutta	107		
Wachell Molla & Sons	Calcutta	178		
Jalal Ahmad	Calcutta	13		
Muslim Employees, P.W.D.	Calcutta	140-9-9		
B.T.A. Muslim Employees	Calcutta	715		
Muslim Employees, A.C. Bengal	Calcutta	231		
Muslim Employees, A.C. Bengal	Calcutta	108		
Muslim Staff, Mathematical Instruments Office	Calcutta	60		
Hafiz Qamruddin & Sons	Lahore	15		
Mohammad Ismatulla	Lahore	28		
Mrs. Z. Kazmi	Lahore	15		
Syed Akram Kazmi	Lahore	10		
Staff of Superintendent of Telegraph	Lahore	206		
Sh. Abdul Halim	Lahore	21-4-0		
Salim Raza	Lahore	50		
Amount received from H.O. as per details given in the Pass Book	Bombay	8,948-5-7		
Total receipts of the day	Bombay	22,010-13-4		
Less one cheque returned by the payee branch		340		
[Total]		21,670-13-4		
Balance of the previous day		108,578-14-6		
Grand total of the donations received		130,249-11-10 ¹		
Mohammad Ali Bros.	Nagpur	50	P. F. 130	
Ahmad Nawaz Khan	Multan	110	P. F. 131	
Haji Ismail Khan	Jullundur	25	P. F. 132	
Ghulam Mohammad Khan	Karachi	50	P. F. 133	
Babu Bhai Mohammad	Visnagar	415	P. F. 134	
A.Q. Khatlany	Lahore	20	P. F. 135	
M.Y. Qureshi	Lahore	100	P. F. 136	
[Total]		770		

¹See brief statement of receipts as on 7 July in F. 156/191, QAP. Not printed.

II. 80

F. 156/202-4

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
8 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Muslim Staff of CATC	Saharanpur	140		
Muslim Employees	New Delhi	220		
A. R. Khan	Delhi	30		
Syed Farasat Ali	Delhi	10		
Kazi Mumtazuddin	Delhi	4		
Farhat Ali	Delhi	3		
Mohammad Ahmad Ali Usman	Delhi	25		
Barkat Ali	New Delhi	1,200		
Sher Afghan	New Delhi	104		
Muslim Employees of Intelligence Bureau	New Delhi	76-8-0		
Laiq Ahmad	Delhi	20		
Abdul Majid	New Delhi	30		
Shaukat Ali	Delhi	8		
Haji Habib Haji Pir Mohammad	Bezwada	1,940		
Hamida Abdul Haq	Rahim Yar Khan	1,000		
Hasan Ahmad	Simla	181		
Qutabuddin	New Delhi	80		
Taj Mohammad	Dera Ismail Khan	300		
Hakim Mohammad Yahya	Patna	205		
Yakub Ahmad	Bangalore	175		
President, Pakistan Fund				
c/o A. A. Abbasi	Delhi	87		
A.M. Khan	Lahore	100-6-0		
T[elegraph] T[ransfer] received from Committee Banking Corporation	Delhi	1,000		
Amount received from H.O. Bombay as per details given in the Pass Book	Bombay	1,928-4-0		
Primary Muslim League	Kalyan	150		
Yar Barkat Abdul Hakim	Bombay	150		
Mehmuda Begum Saheba of Amod	Bombay	101		
Amount received from Calcutta as per details given in the Pass Book	Calcutta	838		
T.T. received from Imperial Bank of India, Delhi	Delhi	6,000		
Gull Mohammad	Karachi	110		
Mohammad Hashim Ahmad	Karachi	101		
Abdul Malik & Co.	Karachi	150		
Mir Mohammad Shah	Karachi	101		
Ebrahim Haji	Karachi	125		
S.H. Suliman	Calcutta	50		
Siddiq Haji Bhai Sheik	Ahmadabad	101		
[Total]		16,785-2-0		
Less cheque returned in clearing & re-lodged		5,000		
Total of the day		11,785-2-0		
Balance of the previous day		130,249-11-10		
Grand total of the donations received		142,034-13-10 ⁵		

Syed Shamsuddin	Simla	113
Syed Shamsuddin	Simla	52
Abdul Habib & Co.	Hyderabad	500
B. Mohammad Husain	Calcutta	1,000
Mohammad Nurul Huda	Calcutta	100
Begum Zaheda Khatoon	Calcutta	100
Dr. A.M. Malik	Calcutta	400
[Total]		2,265

¹See brief statement of receipts as on 8 July in F. 156/201, QAP. Not printed.

II.81

F. 156/206-8

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
9 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Syed Shafiq Ali	Delhi	50		
Abdul Hamid	New Delhi	20		
Muslim Staff of CPWD	New Delhi	1,175-8-0		
Armed Forces H.Q. Muslim Employees Association	New Delhi	1,101		
Muslim Employees [of] Old Sectt.	New Delhi	203		
M. Ibrahim & Friends	New Delhi	136		
Ehsan Elahi Ikram Elahi	New Delhi	30		
Treasurer, Armed Forces[?]	New Delhi	2,399		
Ashfaq Hasan	New Delhi	135		
Ahmad Husain	Delhi	100		
Nisar Ahmad	Delhi	63		
Sultan Shah	Delhi	25		
Shaukat Ahmad	Delhi	25		
Barkat Ali	Delhi	565		
Nawab Zulcudr Jang Saheb	Delhi	1,000		
Shah Mustafa (T.T. received from Imperial Bank of India)	Delhi	5,000		
Mohammad Khalil Sirajuddin	Benares	100		
Salimuddin Ahmad	Multan	1,724-6-0		
S.T.R. Salay Mohammad & Co.	Colombo	5,000		
Mir Mohammad Ali	Baroda	40		O.B.C. realised
Captain M. Shafi	Kamptee	100		Outstation cheques realised
S.M. Ellahi	Allahabad	50		O.B.C. realised
Manzoor Ahmad	Allahabad	25		O.B.C. realised
A.G. Ansari	Lucknow	150		O.B.C. realised
Bhopal Wood Works	Chhindwara	100		O.B.C. realised
Amina Begum	Jaipur	50		O.B.C. realised
Captain Rashid Ahmad Khan	Manzai	100		O.B.C. realised
A.A. Ahmad	Calcutta	58		O.B.C. realised
A. Basit	Calcutta	500		O.B.C. realised
Messrs. Islam & Co.	Calcutta	250		O.B.C. realised
Salahuddin Ahmad	Calcutta	100		O.B.C. realised
Abdul Khaliq	Calcutta	25		O.B.C. realised
Syed Ahmad	Calcutta	100		O.B.C. realised

Dr. K. Ahmad	Calcutta	15	O.B.C. realised
Mahbub Ali	Cawnpore	25	Outstation
Mohammad Hayat	Calcutta	25	cheques
Khandaker Mohammad Husain	Calcutta	50	received
Wali Haider	Bankipur	100	
Total amount of the day		20,714-14-0	
Balance of the previous day		142,034-13-10	
Grand total of donations received		162,749-11-10 ¹	

¹See brief statement of receipts as on 9 July in F. 156/205, QAP. Not printed.

II. 82

F. 156/210-3

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
10 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Mirza Shafi Ahmad	Delhi	262		
Mohammad Muzaffar	Meerut	2		
Abdul Rashid	Meerut	5		
M.A. Siddiq	Meerut	4		
Employees of the Press Information Bureau	Delhi	162		
Akhter Ali Khan	New Delhi	65		
Mausoomi	New Delhi	40		
Fazal Mohammad Subhan	New Delhi	30		
Mohammad Ikram	New Delhi	30		
Muzaffar Ali	New Delhi	25		
Sabat Ahmad	New Delhi	20		
Zaher Hasan	New Delhi	20		
Mahmoodul Hasan	New Delhi	20		
Sirajur Rehman	New Delhi	20		
Muzaffaruddin	New Delhi	20		
Zakaullah	New Delhi	20		
Mohammad Islam	New Delhi	17		
Ehsanul Haq	New Delhi	15		
M.A. Latif	New Delhi	15		
Syed Mohammad	New Delhi	15		
Naseem Gul Khan	New Delhi	15		
Nizam ur Rehman	New Delhi	14		
Kamaluddin	New Delhi	10		
Ali Ahmad	New Delhi	10		
Syed Salar Ahmad Sheikh	New Delhi	10		
Mohammad Yamin Burney	New Delhi	10		
Abdul Rashid	New Delhi	10		
Saeed Hasan	New Delhi	7		
Bashir Husain	New Delhi	5		
Bashir Ahmad Khalid	New Delhi	5		
Nasir ur Rehman	New Delhi	5		
Mohammad Amin	New Delhi	2		
Mohammad Ismail	New Delhi	5		
Arjumand	New Delhi	10		
Sub. Jalaluddin	New Delhi	15		

Naseer ul Haq	New Delhi	100
Rohi Ahmad Ansari	New Delhi	36
Mohammad Ali	New Delhi	30
M.A. Hamid	New Delhi	30
Hakim Mahmood	New Delhi	2
Mohammad Khalid	New Delhi	10
A.R. Saleem	New Delhi	10
Mohammad Yasir	New Delhi	5
Irshad Khan	New Delhi	4
Ihtesham Ali	New Delhi	10
Mohammad Anwar Husain	New Delhi	10
Ahmad Atiq Farooqi	New Delhi	6
Mohammad Iqbal Rehman	New Delhi	10
Abdul Wahid	New Delhi	5
Malik Nasiruddin	New Delhi	14
Ghulam Ahmad	New Delhi	2
Zamir Husain	New Delhi	10
Mohammad Islam	New Delhi	6
Mohammad Ali Bhatti	New Delhi	28
Capt. M.A. Majid	Comilla	200
S.A.A. Maini	Ajmer	75
Lt. Nawaz Sahib	Manzai, N.W.F.P.	100
Lt. S.N. Hamdani	Manzai, N.W.F.P.	100
Capt. Lodhi	Manzai, N.W.F.P.	100
Capt. Cheema	Manzai, N.W.F.P.	100
F/Lt. Allauddin	Ambala Cantt.	150
Abdul Majid	Rawalpindi	100
J. Rehman	Poona 2	5,000
Capt. M. Sardar Khan	Bangalore Cantt.	100
Iqbal Mannan	Allahabad Cantt.	500
S.A. Rashid	Rawalpindi	50-4-0
Capt. Mohammad Shuaib	Bangalore	300
M. Mohammad Yakub Beg	Rawalpindi	100
Capt. Abdul Malik	Bombay	50
Abdul Majid	Meerut	127
S.M. Mohammad Ibrahim	Bangalore	200
Capt. Mohammad Saleem	Kohat	100
Mohammad Sagho Pali	Shadi Pali	2,000
A.H. Darbar	Calcutta	401-4-0
M/S Moti Bros.[Store]	Calcutta	15
424 Money Orders received from donors as per details given in the Pass Book		<u>17,037-8-0</u>
Total of the day		28,174
Balance of the pervious day		<u>162,749-11-10</u>
[Total]		190,923-11-10
Less cheque No. 93707 received back unpaid from Imperial Bank of India New Delhi, with the reasons "Alteration in date requires drawers full signatures"		<u>60</u>
[Grand total]		190,681-11-10 ¹

¹The total appears to be incorrect. See brief statement of receipts as on 10 July in F. 156/209, QAP. Not printed.

II. 83

F. 156/216-7

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
11 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
M. Zubair	New Delhi	129		
Sardar Raja Ali	New Delhi	105		
Staff of Ext. Affairs	New Delhi	100		
N. Shamsi	Delhi	50		
Mohammad Yakub Khan	New Delhi	40		
Nazir Ahmad Khan	New Delhi	16		
Mohammad Latif	New Delhi	5		
Mohammad Shaukat Khan	New Delhi	7-8-0		
Anwar Husain	New Delhi	30		
Mohammad Ashraf	New Delhi	10		
M.Z.D. Qureshi	New Delhi	10		
Usmani	New Delhi	5		
Mohammad Habibullah	New Delhi	12		
Mohammad Jan Khan	New Delhi	40		
Anwarul Hasan	New Delhi	7		
Maqbool Ahmad Lari	Bhatni	200		
Muzaffaruddin Qureshi	Khairatabad	200		
Chaudhri Rehman	Simla	164		
S.M. Anwar	Khagaul	160		
Manager Inami				
Mo'amney	Delhi	15		
Syed Abdul Rahim	Madras	1,200		
Head Master, Madrass				
Islami	Bantva	271-6-0		
Wali Mohammad Khan	Delhi	100		
Amount received from Anarkali Lahore as per details given in Pass Book	Lahore	744-6-0		
By amount of received from Lahore as per details given in the Pass Book	Lahore	519		
By amount of received from Lahore Circular Rd. as per detail given in Pass Book	Lahore	97		
By amount of received from Lahore as per details given in Pass Book	Lahore	276		
By amount of received from Lahore Circular Rd. as per details given in Pass Book	Lahore	533		

The cheque
was on non-
clearing Bank,
cash received
on 11.7.47

Mohammad Ashraf	Okara	100
M. A. Kheri	Delhi	30
M. A. Kheri	Delhi	100
M. A. Kheri	Delhi	20
M. A. Kheri	Delhi	50
Kazi Mohammad Islam	Kasur	650-8-0
Secretary, Islamia Middle School	Meerut Cantt.	25
K.B. Dr. A.H. Butt	New Delhi	500
S.M. Matin	New Delhi	110
Abdul Rashid	Simla	300
Abdul Qayum	Rawalpindi	280
Muhammad Masood	Meerut	50
Riazur Rahman	Delhi	50
Sec[retary] Memon Merchants		
As per details given in		
Pass Book	Calicut	1,200
[Total]		8,511-12-0
Last day balance		19,0861-11-10
[Grand total]		199,373-7-10 ¹

¹See brief statement of receipts as on 11 July in F. 156/215, QAP. Not printed.

II. 84

F. 156/219

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
12 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
President, Pakistan Fund Committee	Delhi	140		
Office of the City Muslim League	Dharampur (Simla)	800		
Divisional Supdt. N.W.Ry. Div. A/Cs Officer	Delhi	794-9-0		
N.W. Ry. S. Ahmad	Delhi	63-8-0		
	Goreepur (Bengal)	100		
Muslim Anjuman	New Delhi	500		
M.B. Husain	Jullundur	903		Two cheques on non-clearing bank. Cash received
Being the amount received from Anarkali as per details given in Pass Book	Lahore	202		
Being the amount received from Circular Rd. as per detail[s] given in Pass Book	Lahore	279-4-0		
M.B. Medina	Nagpur	101		
M. Sardar Khan	Bangalore Cantt.	25		
A. Harun Adam	Poona	130		
A. Chaudri	New Delhi	200		
Saleem Siddique	Badnera	361		
Abdul Ghafur	Malegaon	150		

Abdul Ghafur	Malegaon	150
Faqir Mohammad	Kohat	200
Syed Kamal Ahsan	Simla	76
M. L. Qureshi	Simla	302
[Total]		5,477-5-0
Last day balance		<u>199,373-7-10</u>
[Grand total]		204,850-12-10 ¹

¹See brief statement of receipts as on 12 July in F. 156/218, QAP. Not printed.

II. 85

F. 156/221-3

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
14 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
I. A. Khauja	New Delhi	112		
Fazal Elahi	New Delhi	40		
Ehsanul Haq	New Delhi	5		
M.I. Zuberi	New Delhi	13		
Mohammad Maqadus	New Delhi	7		
Mahmood Khan	New Delhi	5		
Railway Board	New Delhi	18		
Nawab Yasin	Delhi	20		
Officers and Staff Central Radio Store	New Delhi	316		
Mrs. Mansur Alam	Allahabad	100		
Malik Ghulam Sarwar	Ziarat	89		
Proprietor Aziz Hotel	Jullundur Cantt.	232		
M.A. Zaman	Calcutta	146		
Serajuddin	Monghyr	380		
Rehmatullah Chawdhry	Batanagar	1,645-4-0		
Zahoorul Haq Malik	New Delhi	20		
Employees, Govt. Press	New Delhi	39-4-0		
Amount received from Lahore a/c as per details in Pass Book	Lahore	1,684-0-0		
Amount received from Lahore Branch Circular Road as per details in Pass Book	Lahore	20		
Amount received from Lahore C[ircular] Rd. as per details in Pass Book	Lahore	825		
Amount received from Lahore a/c as per details in Pass Book	Lahore	405-8-0		
By amount of T.T. received from Pretoria Muslims	Delhi	26,436-2-0		
A.Q. Khatlaney	Multan	20		

M. Y. Qureshi	Bangalore	100
Secy., Helal Ahmar	Calcutta	9
M.A. Farooqi	Kalabagh	20
M. Yakoob	Lahore	200
Ashiq Husain	Lahore	50
M. Afzal	Kamptee	50
Mohammad Yar Khan	Lahore Cantt.	10
Abdul Hakim	Moghalpura	100
A. Majid	Kohat	100
H. Jiranandham	Lahore	100
N. M. Malik	Lahore	55
Mohammad Afzal	Lahore	100
Anwar Sadat	Lahore	100
Hissamuddin	Katihar	250
Molvi Ghulam Mohtuddin	Lahore	500
S. Bahadur Ali	Lahore	100
A. A. Shah	Karachi	100
Amount received from Lahore Branch as per details given in Pass Book	Lahore	412
Mohammad Baksh	Ferozpur	600
The Victory Store	Cochin	150
Abdul Wahid	Sialkot	100
Secretary, Memon [illegible]	Bangalore	3,000
Rafiq Ahmad	Delhi	50
A. Q. Mohammad	Delhi	40
S. T. R. Salay		
Mohamed & Co.	Colombo	<u>1,849-14-6</u>
[Total]		40,724-0-0
Less amount of T.T. returned		<u>26,436-2-0</u>
[Total]		<u>14,287-14-0</u>
Last day balance		<u>204,850-12-10</u>
[Grand total]		219,138-10-10 ¹

¹See brief statement of receipts as on 14 July in F.156/220, QAP. Not printed.

II.86

F. 156/225-6

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
15 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Qudratullah	Delhi	15		
Employees of the Agr. Department	New Delhi	265-4-0		
Miss Safia Sani Saiqa	Delhi	30		
M. Ahmad	Lalmonirhat	112		
Mohammad Munir	Dagshar	118		
Muslim Rly. Staff	Pabna	170		
Badruddin Chawdhry	Poona	390		

Muslim League, Tandi	Tandi Ramnad	75	
Sub. Maj. Yar			
Mohammad Khan	Mukhad	500	
By amount of 207 Money Orders received as per details in Pass Book		7,309-5-0	
The Manager, Australasia Bank	Amritsar	30	The cheque was on non-clearing Bank, cash received
A.K.M. Azizul Haq	Jalua (Dir)	600	
R. Islam	Comilla	500	
Genl. Secy. City			
Muslim League	Sialkot	750	
Taslim Ahmad Khan	Badaun	123	
Sharif Begum	Ferozpur	200	
R. A. Mohamadi	New Delhi	200	
M. Yaseen Khan	New Delhi	200	
Rizwan Ahmad	New Delhi	105	
A. R. Siddiq	New Delhi	100	
Shahin Shah Begum	Cuddapah	500	
S. D. Siddiqi	Simla	126	
A. A. Allahwala	Chandausi	71	
By T. T. from Muslims of Pretoria Office of Majlis-e-Ibtadai Ittehad-ul- Muslimeen	Pretoria	26,436-2-0	
	Bismalnagar, Dist.		
Mohammad Abdul	Parbhani	3,000	
Haji Abdul Razzak	Hyderabad, Deccan	500	
Mahboob Khan	Delhi	1,000	
By amount received from our Lahore Branch as per details given in Pass Book	Jandola	100	
	Lahore	1,020	
Haji Rafiuddin Azazuddin	Delhi	104-15-0	
Mrs. A.Q. Nazir	Multan	100	
Salahuddin	Bhopal	100	
Dr. S. R. Hussain	Bareilly	101	
A. M. Khan	Saharanpur	100	
Abdul Rahman	Meerut	550	
M/S Jawad Bros.	Saharanpur	50	
Yar Mohammad Khan	Peshawar	101-4-0	
Abdul Majid Khan	Jullundur	1,500	
Mohammad Iqbal	Sargodha	3,200	
Ghulam Mohammad	Karachi	50	
M. M. Bashir	Hyderabad	150	
M. Masud Ali	Hyderabad	100	
By amount received from our Hyderabad Branch as per details given in Pass Book	Hyderabad	10,182-14-6	
By amount from our Circular Rd. Lahore as per details in Pass Book	Lahore	25	
By amount from our Cawnpore Branch as per details given in Pass Book	Cawnpore	140	
[Total]		61,100-12-6	
Less amount of T.T. sent to Mr. Ispahani	Calcutta	50,000-0-0	
[Total]		11,098-12-6	
Last day balance		119,138-10-10	
[Grand total]		130,237-7-4 ¹	

¹See brief statement of receipts as on 15 July in F. 156/224, QAP. Not printed.

II. 87

F. 156/228

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
16 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Abdul Latif	Delhi	10		
Ch. Mohammad Husain	Delhi	30		
M.A. Haq	Delhi	50		
Qidamatullah	Delhi	10		
Unknown Lady	-	10		
Mohammad Haroon Khan	Sakrand	300		
Amount received from Hyderabad Branch as per details given in Pass Book	Hyderabad	3,140-7-6		
Amount received from Mull Bazar Bombay Branch, as per details given in Pass Book	Bombay	15		
Hifazat Karim Ajmeri	Ajmer	10-1-0		Clearing cheque re-lodged
M. Haroon Khan	Sakrand	340		
M.S.M. Zahir	Delhi	167-8-09		
Imam Ahmad	New Delhi	135		
Mian Mohammad Afzal	Aligarh	100		
M.A. Shah	Wana	120		Clearing cheque re-lodged
Babu Khair Mohammad Khan	Suagar	415		
Rajab Ali	Bareilly	500		
S.M. Elahi	Dalhousie	100		
M. M. Khan	Aligarh	201		
Fakharuddin	Bombay	1,000		
[Total]		6,654-0-6		
Less amount of two cheques returned for Rs. 340 and 120		460-0-0		
[Total]		6,194-0-6		
Last day balance		130,237-7-4		
[Grand total]		136,431-7-10 ¹		

¹See brief statement of receipts as on 16 July in F. 156/227, QAP.

II. 88

F. 156/230-4

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
17 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
A. B. Awan	New Delhi	100		
A. Q. Bagalkot	New Delhi	100		
G. D. Deen	New Delhi	50		
M. A. Rafi	New Delhi	50		
A. K. Khataney	New Delhi	50		
Fazil Khan	New Delhi	40		
Moeenudin	New Delhi	30		
Mohammad Shah	New Delhi	25		
Shahabuddin	New Delhi	25		
M. Y. Khan	New Delhi	25		
M. A. Qureshi	New Delhi	10		
Syed Abdul Hamid	New Delhi	10		
Rashid Ahmad	New Delhi	10		
M. Y. Qureshi	New Delhi	10		
Mumtaz Ahmad	New Delhi	10		
M. Ashraf	New Delhi	10		
Ashraf	New Delhi	7		
M. Farooq	New Delhi	7		
M. Ashraf	New Delhi	7		
M. Saddiq	New Delhi	7		
F. Q. Qasim	New Delhi	7		
A. Hamid	New Delhi	7		
Hashmi	New Delhi	7		
Qaiser	New Delhi	7		
M. Rafique	New Delhi	7		
G. M. Muftaba	New Delhi	7		
M. H. Siddiq	New Delhi	7		
Javedi	New Delhi	7		
Sultan Beg	New Delhi	7		
Hakeem	New Delhi	7		
Ahmad	New Delhi	7		
Iqbal Khan	New Delhi	6		
Abdul Rashid	New Delhi	5		
Maqsood	New Delhi	5		
Yamin Ansari	New Delhi	5		
Akhtar Qureshi	New Delhi	5		
Ansari	New Delhi	5		
Mohammad Akhtar	New Delhi	5		
Naqvi	New Delhi	5		
Fida Husain Qureshi	New Delhi	5		
Hamid Azeem	New Delhi	5		
Zaher Ansari	New Delhi	5		
Qureshi	New Delhi	5		
Mahboob	New Delhi	5		
Haji M. Islam	New Delhi	5		
M. Saeed	New Delhi	5		
M. Salar Qureshi	New Delhi	5		
Zuberi	New Delhi	5		
Akhtar	New Delhi	5		
A. M. Khan	New Delhi	5		

K. A. Khizr	New Delhi	5
A. A. Mirza	New Delhi	5
Laique	New Delhi	5
Jamaity	New Delhi	5
M. Safdar	New Delhi	2
M. D. Zaman	New Delhi	2
Farzand Ali I	New Delhi	1
Farzand Ali II	New Delhi	1
Bashir	New Delhi	1
Said Ali	New Delhi	1
Ihad Ali	New Delhi	1
A. Hamid	New Delhi	1
A. Ghaffoor	New Delhi	1
Faizyab	New Delhi	1
Niaz Mohammad	New Delhi	1
M. Yaqin	New Delhi	1
Ghulam Bhik	New Delhi	1
Lal Din	New Delhi	1
Muslim Employees of Food Dept.	New Delhi	920
T.M.O. [Telegraphic Money Order]	Isakhel	500
Majlis Islamia	Delhi	47
M. A. Khalique	Calcutta	200
Miss Nisar Fatima Begum	Kudchi	62-12-0
M.A.H. Sherwani	Pulgaon (CP)	137
A.L. Dar	Simla	78-4-0
J. Ismail & Sons	Bombay	200
H. Seth Yousuf Ali	Multan	200
Mohtarma Bilqis Begum	Ferozpur Cantt.	120
Ataullah	Attock	1,028-10-0
Shamsi	New Delhi	60
M. I. Rahim, Esq., I.C.S	New Delhi	200
Ali Bhoy Mamjee	Rawalpindi	250
Ali Bhoy	Rawalpindi	100
Col. M.A. Khan	Mussoorie	50
G.A. Farooqi	Mussoorie	50
Rurin Khan	Mussoorie	3
Tauqir	Mussoorie	5
Umar Khan	Mussoorie	10
Mrs. Nagari	Mussoorie	10
Wasimullah	Mussoorie	5
Nazir Khan	Mussoorie	10
Rustam	Mussoorie	10
Agha	Mussoorie	5
Begum Hyder Hassan	Mussoorie	20
U. K. c/o Begum Wasim	Mussoorie	250
Ziaul Haq	Mussoorie	100
Begam Abdul Hamid	Mussoorie	100
Guizar Ahmad	Fort Sandeman	100
Mohammad Akhtar	Benaras	50
Athar Alvi	Bareilly	30
Syed Ahmad	Patna	100
A.K. Khan	Okara	100
c/o Ali Bhoy	Rawalpindi	100
Lt. S. Zakir	Jullundur	110
Dr. Sayeed Khan	Mussoorie	50
Mohtarma Begum Wasim	Mussoorie	250
c/o Ali Bhoy Mamji	Rawalpindi	50
M. Ismail Khan	Jullundur	25
Ali Bros.	Nagpur	50
Syed Shamsuddin	Sholapur	165
Azmat Ali	[illegible]	100
Ahmad Nawaz	Multan	110
c/o Ali Bhoy Mamji	Rawalpindi	710
Amount received from Bombay with details given in Pass Book	Bombay	6,845-13-6
Amount received from Lahore Circular Rd. given as per Pass Book	Lahore	1,175-8-0
Sec. Anjuman Ekhwatul Islam	[illegible]	6,000
[Total]		21,644-15-6

Less Cheque returned	10-1-0
[Total]	21,634-14-6
Last day balance	136,431-7-10
[Grand total]	158,066-6-4 ¹

¹See brief statement of receipts as on 17 July in F. 156/229, QAP. Not printed.

II. 89

F. 156/237

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
18 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
A. H. Zaidi	New Delhi	3		
Agha Jaffer Mirza	New Delhi	2		
Mirza Irshad Beg	New Delhi	2		
S. M. A. Zaidi	New Delhi	2		
Ali	New Delhi	1		
Ghulam Muhammad	New Delhi	2		
M. A. Qureshi	New Delhi	1		
Zabeer Ahmad	New Delhi	1		
Mohammad Jonabat Sardar	Salkhura	400		
Officers & Staff of Central Radio Store	New Delhi	130		
H. Najimuddin	Contai	45		
Mohammad Sirajul Islam	Bogra	500		
R. Ahmedullah	Aligarh	500		
Salam Ahmad	Multan	701-12-0		
E. A. Dadabhoy	Johannesburg	4,296-0-8		
J. A. Dally	Colaba	50		
Y. A. Najmuddin	Miraj, Central India	1,012-4-0		
Sh. Mohammad Latif	Karachi	500		
Amount received from Lahore as per given in Pass Book	Lahore	56		
Amount received from Jaora as per given in Pass Book	Jaora	25-8-0		
Amount received from Lahore as per given in Pass Book	Lahore	216-3-0		
[Total]		8,446-11-8		
Last day balance		158,066-6-4		
[Grand total]		166,513-2-0 ¹		

¹See brief statement of receipts as on 18 July in F. 156/336, QAP. Not printed.

II. 90

F. 156/239-40

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
19 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Abdul Wahid Khan	Amritsar	10		
Mrs. Abdul Haq	Amritsar	10		
Q. R. Khan	Bharwari	10		
Secy. Kashmir				
Muslim Postal Employees	Kashmir	100		
S. A. Rashid	Calcutta	100		
Qazi Rafiquddin Ahmad	Calcutta	112		
Zahur Ahmad Khan	Calcutta	62		
Secy. All India Ry.				
Muslim Employees	Parbatipur, Bengal	113		
M. Shafia Karim	Noakhali	100		
M. Yahya	Calcutta	100		
C. G. Ali	Calcutta	10		
M. Shamsul Islam	Calcutta	100		
Mohammad Husain	Kanchrapara	1,000		
Mohammad Nurul Huq	Calcutta	100		
A. Q. [illegible]	Calcutta	400		
M. Ghulam	Ahmadabad	100		
A. Awan	Aurangabad	155		
Sec. Muslim Club	Simla	100		
Wahid Sardar	[illegible]	200		
Syed Mohammad Yasin	[illegible]	790-4-0		
Nawab Khan	Delhi	20		
Amount received from Rajkot	Rajkot	17-4-0		
Amount received from Rajkot	Calcutta	855-8-0		
Amount received from Rajkot	Calcutta	868		
Amount received from Rajkot	Calcutta	790-10-0		
Amount received from Branch	Calcutta	270-14-0		
Amount received from Branch	Lahore	2,981-7-0		
Amount received from Branch	Lahore	1,877-4-0		
[Total]		11,353-3-0		
Less amount debited from Lahore		842-7-0		
[Total]		10,510-12-0		
Last day balance		166,513-2-0		
[Grand total]		177,023-14-0 ¹		

¹See brief statement of receipts as on 19 July in F. 156/238, QAP. Not printed.

II. 91

F. 156/244-5

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
21 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Sec. Provincial Muslim League	Ajmer	26-4-0		
M. A. Salaam	Calcutta	55		
Amanullah	Delhi	10		
By amount of Money Orders with details as per Pass Book		13,820-5-0		
Waziruddin		1-14-0		
By amount received from Cawnpore				
Branch as per Pass Book	Cawnpore	333		
M. Mahmood	Lahore	20		
Sec. Anjuman Khawateenul Islam	Bantu	1,225		
Amount received from Lahore	Lahore	71		
Amount received from Agra	Agra	60		
Amount received from Lahore	Lahore	5,365-2-0		
Amount received from Lahore	Lahore	473-6-0		
Ijaz Ahmad	New Delhi	100		
Muslim Employees	New Delhi	50		
M. A. Kabir	New Delhi	50		
M. A. Najam	New Delhi	100		
I. A. Ansari	New Delhi	25		
Syed Mahmood	Mysore	125		
M. A. Husain	[illegible]	1,000		
M. W. Hassan	Barisal	250		
Azizuddin Khan	Saharanpur	4,000		
Ghayasuddin	Tatanagar	68		
Imdad Ali	Calcutta	50		
Shafia Karim	Noakhali	2,600		
Tamizul Haq	New Delhi	50		
[Total]		29,928-15-0		
Last day balance		177,023-14-0		
[Grand total]		206,952-13-0 ¹		

¹See brief statement of receipts as on 21 July in F. 156/243, QAP. Not printed.

II. 92

F. 156/251

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
22 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Muslim Employees of E. A. Deptt.	New Delhi	17		
Dr. Inayatullah	Delhi	40		
Mohammad Yousuf Khan	Pahari	10		
Yamin Khan	Bharatpur	-		
Zahid Ali Akbar	Jullundur	25		
Khan Altaf Husain	Jullundur	100		
Irfan Ahmad	Delhi	5		
Asgher Husain	Dacca	172		
M. S. Zamir	Jodhpur	330		
Atiazuddin	Lahore	100		
Abdul Rahman	Meerut	50		
Asghar Husain	-	100		
Capt. M. A. Qazi	Bareilly	100		
Abdul Majid	Calcutta	500		
By amount as per details in Pass Book		20-8-0		
received from Bombay	Bombay	70		
By amount as per details in Pass Book	Bantva	136		
By amount as per details in Pass Book	Hyderabad, Dn.	7,221-10-4		
By amount as per details in Pass Book	Lahore	96-8-0		
By amount as per details in Pass Book	Madras	718-8-0		
By amount as per details in Pass Book	Bombay	5,350-12-0		
[Total]		15,162-14-4		
Less amount debited from Lahore		30-0-0		
[Total]		15,132-14-4		
Last day balance		206,952-13-0		
[Grand total]		222,085-11-4 ¹		

¹See brief statement of receipts as on 22 July in F. 156/250, QAP. Not printed.

II. 93

F. 156/249

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
23 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Muslim Employees Publication Deptt.	Delhi	50		
Armed Forces HQ				
Muslim Employees Assoc.	New Delhi	610-10-3		
Armed Forces ME Deptt.	New Delhi	184		
Muslim Employees Govt. Press	Delhi	10		
K. A. Waheed	Calcutta	200		
Hakim Din	New Delhi	50		
K. Masrur Husain	New Delhi	20		
S. H. Mustafa	Rawalpindi	300		
Bashir Ahmad	Benares	433		
Ch. Abdul Rahim	Murree	50		
H. Bashir Ahmad	Pasrur	500		
Mooosa Husain	[illegible]	217-8-0		
Itiaz Mohammad Khan	[illegible]	225		
Mohammad Yasin	Bahawalpur	100		
Memon Grain Assoc.	Bangalore	728-3-6		
Abdul Khan	Kurnool	1,100		
H. Abdul Rahman	[illegible]	642		
Capt. M. F. Rahman	[illegible]	100		
Amount received from	Ahmedabad	100		
[Total]		5,620-5-9		
To amount debited		35-0-0		
[Total]		5,585-5-9		
Last day balance		222,085-11-4		
[Grand total]		227,671-1-1 ¹		

¹See brief statement of receipts as on 23 July in F. 156/248, QAP. Not printed.

II. 94

F. 156/254

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
24 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
Kh. Habibullah	New Delhi	21		
Anjuman Islamia	New Delhi	21		
Commonwealth Relations	New Delhi	175		
Amount received from	Agra	10		As per detail given in Pass Book
M. A. W. Kheri	Delhi	393		
Karamat Esq.	Fort Sandeman	377		
Abdul Wahid	Kohat	785		
A. B. Zuberi	Shahjahanpur	25		
Begum Mohammad Sadiq	Karnal	1,000		
H. Dil Mohammad	Ahmedabad	278		Two demand drafts on ourselves
Abdul Karim	Ahmedabad	100		Two demand Drafts on ourselves
Bhuramian Bannumian	Ahmedabad	23-10-0		Demand draft paid on ourselves
M. H. Mirza	Bombay	100		Demand draft paid on ourselves
Amount received from	Lahore	100		With details as per Pass Book
Amount received from	Lahore	780		With details as per Pass Book
[Total]		4,188-10-0		
Last day balance		227,671-1-1		
[Grand total]		231,859-11-1 ¹		

¹See brief statement of receipts as on 24 July in F. 156/253, QAP. Not printed.

II. 95

F. 156/257

STATEMENT OF ACCOUNT OF RECEIPTS FOR PAKISTAN FUND

HABIB BANK LTD.,
CHANDNI CHOWK, DELHI,
25 July 1947

Name of donor	Place	Amount credited	Amount of outstation cheques under collection	Remarks
M/S Osman & Sons Treasurer.				
ML. Digboi	Digboi, Assam	800		
Jamila Husain	Salmanirhat	500		
Mohammad Ebrahim	Kasamba, Surat	220		
Mrs. Akhtar Iqbal	Moradabad	100		
M. Bashir Husain	Kunjpora	50		
Asghar Ali	Dhamiali	200-12-0		
Abdul Fazal	Allahabad	50		
Saeed Ahmad	Rawalpindi	51		
Sadat Ali Shah	Multan	50		
M. A. H. Kheri	Delhi	300		
M. A. Khan	Amritsar	25		
Indians of Kabul	Peshawar	3,000		
K. K. Mahmood	Singapore	500		
Mozemal Husain	Bogra	843-4-0		
Muslim Chamber	Nizamabad	1,910		
Seth Mohammad Jaffar	Alleppy	6,000		
Ata Mohammad	Bahawalpur	70		
Fateh Mohammad	Dhanbad	325		
S. Rahman Bhoy	Comilla	525		
[Total]		15,420-0-0		
Last day balance		231,859-11-1		
[Grand total]		247,279-11-1 ¹		

¹See brief statement of receipts as on 25 July in F. 156/256, QAP. Not printed.

APPENDIX III

APPOINTMENT OF GOVERNORS-GENERAL

III. 1

*Note by Erskine Crum
Mountbatten Papers¹*

TOP SECRET

3 July 1947

1. A Viceroy's Meeting was held at Lord Ismay's House at 9.45 p.m. on Wednesday, 2nd July, to consider the situation arising from Mr Jinnah's declared wish² to be Governor-General of Pakistan from 15th August, 1947.

Note: As yet Mr Jinnah has only in fact asked the Viceroy's advice about this, and has not nominated himself firmly.

COURSES OPEN

2. It was felt that the possible courses were as follows:

- A. To accede to Mr Jinnah's request, and for H.E. to stay on as Governor-General of India alone,
- B. To accede to Mr Jinnah's request, and to ask Congress to nominate someone other than H.E. as Governor-General of India, or
- C. To devise a formula whereby H.E. would be enabled to remain as Governor-General of both Dominions, and at the same time to satisfy Mr Jinnah's vanity.

ADVANTAGES AND DISADVANTAGES

3. COURSE A

Advantages³

- i. The benefit of H.E.'s help and advice would remain for anyhow the greater part of the present India.
- ii. British officers and officials at least in that part would stay on.

Disadvantages

- i. Although Mr Jinnah evidently hopes to get many senior British officers, including Lord Killearn⁴ as a Governor, it is doubtful whether they would come, and indeed whether any British officers or officials would agree to remain in Pakistan.
- ii. Pakistan would be likely to get less than their fair share of all-India assets.

- iii. It is probable that there would be Conservative opposition to the Bill, and there might be difficulty in getting it through before the end of the present Session.
- iv. H.E. would probably go on leave until 15th August and would have to stop being Chairman of the Partition Committee, the work of which would be seriously compromised. Even then, he, and the British as a whole, might get a reputation for partiality.

4. COURSE B

Advantages

- i. H.E. could remain as Chairman of the Partition Committee.
- ii. The British, and particularly H.E. and his Staff, would go "on the crest of the wave"—particularly if suitable publicity was given to Mr Jinnah's action. All accusation of partiality would be avoided.

Disadvantages

- i. It is very doubtful that Congress would choose another Englishman. As a result, very few British officers or officials, including senior officers and probably Governors, would remain in either Dominion.
- ii. Pakistan would get nothing like their fair share of all India assets except in such matters as were fully settled before 15th August.
- iii. The Conservatives would probably bitterly oppose the Bill and there would be no chance of getting it through during the present Session.

5. COURSE C

Advantages

The advantages of H.E. staying on for a period as Governor-General of both Dominions are too obvious to enumerate. They include, of course, a strictly fair partition; a flying start for both Dominions; the Bill would go through without any difficulty; and a large number of British officers and officials would stay on.

Disadvantages

The main disadvantage is that Mr Jinnah might try to be a "Hitler"⁵ and take no notice of what H.E. said. This would lead to an exceedingly difficult situation.

6. *Possible Variations of COURSE C*

- a. The following suggestions were made for the name of the post which H.E. would hold:
Governor-General for Partition
Supreme Governor-General
Overall Governor-General
Viceroy
 - b. The following suggestion were made for the name of the post which Mr Jinnah (and probably an equivalent in India) would hold:
Governor-General Designate
Acting Governor-General
Lieutenant Governor-General
Deputy Governor-General
Head of State
President
Officer Administering the Government
- Note. The suggestions in (a) and (b) are in the order in which they were most favoured.
- c. It was felt that any formula conferring such titles should be based on the necessity for a Governor-General not to leave his Dominion except on special occasions with the permission of the King; and on the impossibility of his being in two places at the same time.
 - d. It was felt that the appointment of a Governor-General Designate might be made optional.
 - e. It was emphasised that any formula devised in this behalf must be one which Congress would accept.
 - f. It was felt that it would have to be made clear in such a formula that H.E. would stay only until 31st March.

9. [7] A possible proviso to Clause 5 of the bill¹ might read: "Provided that, until 31st March 1948, or for such shorter period as may be determined by provision made by law of the Legislature of either of the new Dominions, the same person shall be Governor-General of both new Dominions and there may be appointed by His Majesty for either Dominion a Governor-General Designate."

Consequent amendments to the Bill would of course be necessitated. For example, the powers of the Governor-General Designate in the absence from either Dominion of the Governor-General would have to be made clear.

V. F. ERSKINE CRUM
[Conference Secretary]

¹No. 470, TP, XI, 839-42.

²See No. 13, note 2. Also see Appendix III. 3.

³Italicised here and subsequently in the original.

⁴Special Commissioner for South-East Asia.

⁵Chancellor of Nazi Germany, 1933-45.

⁶Enclosure 1 to No. 1, Clause 5. Also see Appendix I. 1 about redrafting the proviso to this clause.

III. 2

Draft Note by Campbell-Johnson¹ Mountbatten Papers²

Undated [3 July 1947]

With regard to the Conference Secretary's note,³ the following are my views on the publicity implications of the three courses proposed.

1. I consider that while Course C is the most desirable from every point of view, Course A would be favourably received in the British and World Press, while Course B would not avoid serious criticism.

2. Left Wing expectation has always been that Pakistan would be the last outpost of British imperialism and that the anti-British bias of Congress would quickly prevail. Congress invitation to H.E., Colville and Nye⁴ knocks that criticism on the head. From the viewpoint of British prestige it is a tremendous thing that Congress at the moment of victory in its 70 years' struggle with the British should go out of its way to invite Englishmen to stay on in this way.

3. Such an invitation can hardly be criticised by the Right Wing either, for it gets our relations with the new India off to a start good beyond all expectations. At the same time the suggestion that H.E. has sold out to the Congress is met by obvious evidence that Pakistan and Jinnah have got exactly what they asked for. In fact H.E.'s presence at the head of the new Indian State would naturally be interpreted as the best guarantee that its relations with Pakistan would be carried on in a friendly and constructive manner and as a buffer against excessive Congress claims.

4. The argument that with Jinnah in his present mood and enjoying full powers and with H.E. simply as a constitutional Governor-General, H.E. would not be able to exercise any substantial influence on Pakistan-Indian relations is a major issue but not directly a publicity problem. While no doubt it would be a limiting factor to H.E.'s usefulness, I think it would be widely realised that no one else would be able to do more, and in view of H.E.'s close association with Jinnah at this critical time no other Governor-General would be likely to be in a position to do as much.

5. If the choice is between Jinnah as Governor-General or President, Governor-General is surely preferable. He gives his prestige inside Pakistan to a title which is peculiarly associated with Commonwealth status and in the last analysis—however dictatorial or Fascist inclined he may be—with constitutional government. At least it gives his successors good grounds for becoming constitutional.

6. The argument that a climb down is involved from Viceroy of all India to Governor-General of India less Pakistan cannot I submit be sustained nor would it be strongly stressed. Climb down from what? The whole emphasis of H.E.'s mission here has been on the future—on the beginning of a new chapter in our relations with Indians and not on "the last Viceroy".

7. When one considers Course B, it is obvious that H.E. would be leaving on the crest of the wave but once it is known that H.E. had been invited by Congress and had turned down their invitation I believe there would be a considerable volume of criticism, both immediate and long term, that he was leaving the job half done and making "a quick getaway". Congress publicity would certainly interpret it as capitulation to Jinnah.

8. I therefore submit that Course C offers the best solution but there are positive advantages in Course A which outweigh those of Course B while on the negative side criticisms arising from Course B are likely to be more serious and widespread.

¹Press Secretary to the Viceroy.

²No. 471, TP, XI, 842-3.

³Appendix III. 1.

⁴Nehru had wanted Colville and Nye to stay on as Governors, after 15 August. See No. 462, TP, XI, 831.

III. 3

Louis Mountbatten to Clement Attlee

Telegram, R/3/1/162¹

MOST IMMEDIATE/TOP SECRET

NEW DELHI,

3 July 1947, 8 pm

Received: 3 July 6.15 pm

No. 1725-S. Following personal and private for Prime Minister from Viceroy.

1. Mr Jinnah came to see me last night² and told me that he wanted to be Governor-General of Pakistan from the date of the transfer of power.

2. I have spent four hours since then trying to make him realise the advantages that Pakistan would gain from having the same Governor-General as India for the initial period, until partition is complete. He is so adamant that he openly says that he would prefer to lose the crores' worth of assets which he would get in a fair partition, under my supervision, than share a Governor-General.

3. I now am faced with the appalling problem of whether to accept Nehru's offer³ to stay as Governor-General of India or whether to pull out on August 15th.

4. I will telegraph Jinnah's full points of view and arguments and my recommendations later. This is intended to give you a preliminary indication of this unexpected course of events, as I realise that it may result in amendments to the Bill. But I would suggest that you take no action until I inform you further.

¹No. 483, TP, XI, 863.

²See Appendix III, 6, paras 23-5.

³See Annex.

Annex to No. III. 3
Henry Grady to George C. Marshall
Telegram, US National Archives, 845.00/7-247

SECRET
No. 475

AMERICAN EMBASSY,
NEW DELHI,
2 July 1947, 2 pm

Received: 2 July 1947, 7.22 pm

In private conversation after lunch yesterday, Viceroy told me that during morning he had been going over draft of new India Act¹ with Congress and League leaders (meeting separately) and that "things had been going very well". He said draft would be based on conception² of continuing GOI [Government of India] and establishment [of] Pakistan as a secession Govt. and indicated clearly he would like [to] remain after August 15 as Governor-General—at least of India, preferably of both Dominions. He seemed to feel it was important that he continue head of³ even after separation of Pakistan area from rest of India. (MYTEL 459, June 27,⁴ re[garding] Nehru's request that Mountbatten remain as Governor-General both Dominions).

In this connection Viceroy expressed hope I could talk with Jinnah in near future since he felt it would help matters if Jinnah had some indication U.S. intended establish diplomatic relations with Pakistan. He said it might be possible for U.S. set up a diplomatic mission in Pakistan under a

Charge [d' affaires] responsible to AMA [American Ambassador] in Delhi. On other hand he said he had told U.K. High Commissioner Shone that U.K. should send High Commissioner to Pakistan (MYTEL 454, June 27).⁵ I gathered Viceroy would like U.S. to make an early commitment to Jinnah re. some kind of diplomatic representation to Karachi as an aid to him in his negotiations with Jinnah. I hope the opportunity will come soon to talk informally with Jinnah. I shall get his views without, of course, making any commitment so far as our Govt. is concerned.

Please repeat to [U.S. Embassy in] London.

GRADY

¹Refers to draft Indian Independence Bill. See Enclosure 1 to No. 1.

²This view, held by the Congress, was contested by ML. See Annex VI to No. 1.

³The words "head of" underlined in the original.

⁴Not available in QAP. For Nehru's views see Enclosure to No. III. 8, para 1.

⁵Not available in QAP.

III. 4

Viceroy's Conference Paper V.C.P. 107¹ Mountbatten Papers

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI,
4 July 1947

GOVERNORS-GENERAL

The attached paper will be considered at the Viceroy's Meeting at 4 p.m. on Friday, 4th July, 1947.

V. F. ERSKINE CRUM
Conference Secretary

[Part I omitted in the original]²

PART II

1. H.E. indicated that, before making his final decision on whether to remain as Governor-General of the Dominion of India, he would require from Mr Jinnah reaffirmation of the fact that the latter welcomed H.E.'s acceptance of the appointment.

2. In view of the difficulty of ever getting Mr Jinnah's signature to a letter, it is for consideration whether a verbal statement, in the presence of witnesses, would not suffice. This would then be quoted in Parliament, and be given world-wide publicity. However, a draft letter is attached as Annex 'A' (to follow).³

PART III

1. The question arises as to what amendments should be made to

the Indian Independence Bill. The proviso to Clause 5, as approved by the King, at present reads:

Provided that, unless and until provision to the contrary is made by law of the Legislature of either of the new Dominions, the same person may be Governor-General of both new Dominions.

2. It is understood that Mr Nehru would prefer the Governments, as opposed to the Legislatures, to be empowered to make the necessary provision to the contrary. However, he has not put this suggestion up officially.

3. Any amendment that is now made would have to be introduced during the second reading.

4. There are three possible courses:

- A. To leave the proviso as it stands. This will entail Mr Jinnah having to summon his Legislature after 15th August, and for that Legislature to pass necessary amending legislation. Thus, for a period, if only a day, after 15th August, H.E. will in fact be Governor-General of both Dominions.
- B. To amend the proviso (and subsequent clauses as necessary) to arrange for there to be one "Common Governor-General" and two "Officiating Governor-General" (or whatever terms are chosen). Such an amendment might be made if the Nawab of Bhopal's efforts with Mr Jinnah⁴ are successful, *and if Congress agrees*.⁵
- C. If Mr Jinnah remains adamant, to delete the proviso (and make subsequent amendments) at the second reading. This would surely give an admirable opportunity for explanation, in Parliament, of the course of events which have led up to this step.

¹No. 495, TP, XI, 881-3.

²See Enclosure 2 to No. III. 9.

³Annex.

⁴See Enclosure to Appendix III. 8.

⁵Underlined in the original.

Annex to No. III. 4

*Draft of a letter from Louis Mountbatten to M. A. Jinnah
(not sent)*

You will remember that on the 17th May¹ when you and Liaquat met Mieville and myself you invited me to stay on after the transfer of power, in order to complete all the details of partition in some capacity superior to the two Governors-General envisaged; and I reported your statement to H.M.G.

2. On the same date I received an invitation from Congress inviting me to be Governor-General of the Indian Union after transfer of power² and, in accepting this honour, I pointed out how difficult it would be for me to remain on as Governor-General of one Dominion only. I, therefore, qualified my acceptance by adding that it would be subject to a similar invitation being received from the League by which I could act as Governor-General for both Dominions for the short period until partition was completed.

3. While I am anxious to return to England and resume my career in the Royal Navy, I am, on the other hand, most reluctant to leave a job half done and no one can contend that with the setting up of the two new Dominions on the 15th August that partition will have been completed. I should therefore like to remain for a few months representing both Dominions to see the job through properly.

4. On the other hand you have now informed me that it is your wish that you personally should be nominated as Governor-General of Pakistan. I shall be glad if you will confirm that it is your desire that I should submit your name to The King, and, at the same time, I should be glad if you would confirm that you would have no objection to my remaining as Governor-General of the Indian Union, and that you are satisfied that your interests will not, therefore, be prejudiced, as the decision, which I have not yet taken, whether to remain or not with the Indian Union is one in which I shall be guided largely by the attitude you may take up.

¹Appendix XIV, 27, Vol. I, Part II, 680-2.

²No. 452, Vol. I, Part I, 814-8.

III. 5

Minutes of the Viceroy's Fifty Second Staff Meeting¹ Mountbatten Papers

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI,
4 July 1947, 4 pm

PRESENT

LOUIS MOUNTBATTEN

H. L. Ismay

Eric Mievile

George Abell

V. P. Menon

Ronald Brockman

I. D. Scott

Campbell-Johnson

Erskine Crum

[Item 2]

*Governors-General (V.C.P. 107)*²

The Meeting considered a paper prepared by the Conference Secretary, putting forward the reasons, as brought out in an unrecorded discussion the previous day, why His Excellency should accept the appointment of Governor-General of the new Dominion of India alone. This question had arisen because of Mr Jinnah's intention, first declared two days previously³ to put forward his own name for the post of Governor-General of Pakistan.

His Excellency the Viceroy said that his conscience was clear that he had taken every possible step of which he knew, in order to put clearly before Mr Jinnah the advantages of Pakistan having the same Governor-General as India during at least the initial period after the transfer of power. The final step which he had taken had been to send for the Nawab of Bhopal and ask him again to point out the advantages to Mr Jinnah. This step had been unsuccessful. His Excellency said that to him the most painful part of all this was that he had, though unintentionally, deceived Congress. They had made their offer that he should remain as Governor-General of the Dominion of India on the understanding that he would be Governor-General of Pakistan also.⁴ His Excellency emphasised that Mr Jinnah's decision had come as a complete surprise to him. For example, Mr Jinnah had not told the Nawab of Bhopal, when he had seen him four days previously, what was in his mind.

The Viceroy stated that the Nawab of Bhopal had given his opinion that the only hope for Pakistan now was for him (His Excellency) to stay on as Governor-General of India. The Nawab of Bhopal had said that he considered that this was the only hope for the States too. He had added that from the personal viewpoint he thought that the decision was much more difficult and had suggested that three days would be required in order to make it.

Rao Bahadur Menon stated that Mr Moh[ama]d Ali had told him that informed Muslim League opinion shared the Nawab of Bhopal's view that it would be in the interests of Pakistan for His Excellency to remain as Governor-General of India.

A separate part of the paper before the Meeting dealt with the question as to whether, in the light of Mr Jinnah's decision, it would be desirable to amend the proviso to the Indian Independence Bill which allowed the same person to be Governor-General of both Dominions. His Excellency decided that it would be best to leave this proviso as it stood.

His Excellency the Viceroy:

- i. took note of V.C.P. 107;
- ii. approved a draft telegram⁵ to the Prime Minister, handed round at the Meeting, informing him of the latest situation;
- iii. directed Prin[cipal] Sec[retary] to draft a telegram to His Majesty the King to inform him of the course of events;
- iv. decided to ask Mr Jinnah, when next he saw him whether he would accept a G.C.M.G. or similar decoration.⁶

¹No. 499, *TP*, XI, 885-6. Only item 2 given in the original.

²Appendix III. 4.

³For an account of Mountbatten's interview with Jinnah, see Appendix III. 6, paras 23-5.

⁴See No. 452, Vol. I, Part I, 817 which does not mention any such understanding.

⁵Presumably the draft of Appendix III. 7.

⁶Jinnah was not taken in by Mountbatten's offer to submit his name to the King for award of GCMG. He thanked the Viceroy but said, "he would like to consider the matter carefully before letting me have an answer." In the event, he declined the offer frustrating Mountbatten's ambition of getting the award himself. See No. 533, para 3, *TP*, XI, 935 and No. 125, *ibid.*, XII, 182.

III. 6

Viceroy's Personal Report No. 11

*L/PO/6/123*¹

TOP SECRET

4 July 1947

*[Paras 1 to 20 omitted]*²

21. The main object of Ismay's visit is to lay before the Prime Minister and Cabinet Committee the very difficult position in which I now find myself in connection with the question of a common Governor-General. It will be remembered that I reported to the Cabinet Committee³ that Nehru had put in writing a request to me to remain on as the Governor-General of India. As Jinnah had consistently impressed on me the absolute need for me to remain until the process of partition was completed I managed (not without difficulty) to persuade Congress to agree that I must also be allowed to accept a similar offer from Pakistan so that I could impartially look after the interests of both Dominions during the period of partition.

22. Before I went to London Jinnah said that although he thought two Governors-General would be better than one, he asked me specifically to stay on as Super Governor-General over the other two.⁴ From that day to this he has repeatedly impressed on myself and my staff the need for us all to stay and see the partition through fairly; and we have all consistently told him that this can only be satisfactorily done

by myself as a common Governor-General and that fortunately for him Congress had already agreed to this system.

23. For the last three weeks we have been trying to get an answer out of Jinnah and he has always put off an answer, and finally said he could not let me know until he had seen the Bill. After he had seen the Bill, he still did not wish to answer until he had consulted two of his leaders⁵ who were away at the two Referendums. However, he finally came "to seek my advice as to what he should do". He began by saying that he wished to have British Governors in every province of Pakistan except Sind which, since it would be under his personal observation in Karachi, could have a Muslim Governor.⁶ He pointed out that he had already agreed to the three heads of the Pakistan Defence Services being British;⁷ but remarked that the only way in which he could sell the idea of all these British high officials to the inhabitants of Pakistan would be if he himself became the Governor-General.

24. He said he had been unwilling to take this step but had been urged to do so by three or four intimate friends and colleagues whom he had consulted. As the Nawab of Bhopal is his principal friend and adviser and had told me three days previously that Jinnah had specifically consulted him on this point, and that Bhopal had told him that he thought that he would be mad to reject the chance of having a common Governor-General with a British team to see partition through till the 31st March 1948 (which has been taken as the end of the partition period),⁸ and as it is quite clear that Liaquat Ali Khan strongly shares this view, I am afraid that the only adviser that Jinnah listens to is Jinnah.

25. He is suffering from megalomania in its worst form for when I pointed out to him that if he went as a Constitutional Governor-General his powers would be restricted but as Prime Minister he really could run Pakistan, he made no bones about the fact that his Prime Minister would do what he said. "In my position it is I who will give the advice and others will act on it".

26. I then conceived the idea of putting a clause in the Bill to have an officiating Governor-General in Pakistan whenever the Governor-General was not in the territories of that dominion. I got this passed by Congress at their meeting about the Bill and then went in to see the Muslim League representatives at their corresponding meeting.

27. By a fortunate coincidence Mr Jinnah immediately on my appearing attacked me on the question of sanctions against the Union of India if they failed to comply with awards of the Arbitral Tribunal and hand over to Pakistan their fair share of assets. For, as he pointed out, nearly all the common assets happened to be situated in the Union of India's territory. This gave me a good opportunity of saying in the

presence of Jinnah's henchmen⁹ that the provision which had been devised to safeguard Pakistan's interests in partition had been the system of a common Governor-General with a high class British staff whom both sides would trust to see fair play.

28. I pointed out that Congress had agreed to this system, had nominated me, and that I and my British staff were willing to serve until the end of the partition period on 31st March. I said I quite appreciated that most of the partition work would go on in Delhi, and that I should have very little time to spare for Karachi. I had therefore got Congress to agree that an officiating Governor-General should be appointed during those 7½ months and that I would only visit Pakistan territory by mutual arrangement with its officiating Governor-General.

29. Jinnah categorically refused to accept this. I told him I could hardly believe it was his intention to reject the only practicable means of safeguarding the division of the assets—and a means to which Congress had agreed—for the sake of having a substantive Governor-General instead of an officiating Governor-General until the 31st March in Karachi; for after that I pointed out that they would of course have their own Governor-General.

30. Jinnah solemnly assured me that he realised all the disadvantages of giving up the common Governor-General, that his one ambition was that I should stay as Viceroy or overall Governor-General to see the partition through, but he was unable to accept any position other than that of Governor-General of Pakistan on the 15th August.

31. I asked him "do you realise what this will cost you"? He said sadly "it may cost me several crores of rupees in assets", to which I replied somewhat acidly "it may well cost you the whole of your assets and the future of Pakistan". I then got up and left the room.

32. Mohamad Ali, the Secretary of the meeting, lunched with my PSV (George Abell) afterwards, and said the meeting had spent the next hour discussing my bombshell, but they had been quite unable to shake Jinnah. Liaquat Ali Khan came to see me after lunch, and begged me to stay on as an overall Governor-General which he said Jinnah would accept, but that I could not expect Jinnah, having achieved his supreme desire of Pakistan, to give up being its first Governor-General. "Not even if it means that he will be its last"? I asked Liaquat. He shrugged his shoulders and said sadly, "We must do our best, but whatever happens I hope that you will stay on with India for otherwise there will be terrible trouble and Pakistan will suffer severely". Jinnah also curiously enough begged me to remain as the Governor-General of India since he said that unless there were a steadying influence he was afraid of what the Congress Government might do to Pakistan.

33. I am now in a complete quandary. I have always held the view that I should stay on with both sides or with neither of them. I never dreamt that both sides would ask me to stay with one side.

34. My own inclination is to go, for I have always felt and said that I considered it morally wrong to stay on with only one of the two sides. But unfortunately I fear that I have unintentionally led Nehru and all the Congress leaders up the garden path and that they will never forgive me for allowing Jinnah once more to have his way. I therefore feel that this is a matter on which I require higher guidance, and have considered it essential to send Ismay home to seek it.

M[OUNTBATTEN] OF B[URMA]

¹No. 506, *TP*, XI, 897-900. The report was taken by Ismay to London.

²Some of these paras have been included in Appendix IV. 1.

³On 20 May, Mountbatten reported to India and Burma Committee his version of Jinnah's possible objections to having a common Governor-General for both the successor Dominions. See No. 494, *TP*, X, 916-20. Also see Annexes I and II to No. 444, Vol. I, Part I, 798-800.

⁴Appendix XIV. 27, Vol. I, Part II, 680-2.

⁵Presumably refers to Nishtar and M.A.H. Ispahani.

⁶Ghulam Hussain Hidayatullah. See No. 237.

⁷Lieutenant-General Frank Messervy, Rear Admiral J. W. Jefford and Air Vice-Marshal A. L. A. Perry-Keene. See No. 241.

⁸On 7 July, Nawab of Bhopal advised Mountbatten in confidence to "go while the going is good" unless imperial considerations made it imperative that he should carry on as Governor-General of India only. See Appendix III. 14.

⁹Liaquat, Nishtar, and Mohamad Ali.

III. 7

Louis Mountbatten to Clement Attlee

Telegram, R/3/1/162¹

MOST IMMEDIATE/SECRET

NEW DELHI,
4 July 1947, 6 pm

No. 1743-S. Personal and Private for Prime Minister from Viceroy.
Reference my 1725-S of 3rd July.²

I have today³ asked Jinnah to let me have in writing the name of the individual whom he would wish me to recommend for formal submission to The King. This is going to be Jinnah.⁴

2. Ismay arrives Monday night and will explain whole position as regards Governor-Generalship of India. I should be grateful if Opposition leaders might be brought into this since I told them, when I was in

London, that Indian leaders had led me to expect that they both wanted me as Governor-General.

3. Before I make up my mind as to my own course of action, I would be deeply grateful for guidance from HMG, in which I hope Opposition would concur, as to what I should do.

4. Since decision ought to be made by Wednesday at latest, in view of Debate on Thursday, could I possibly have your reply by Tuesday night, 8th July?

¹No. 508, TP, XI, 901.

²Appendix III. 3.

³No. 24.

⁴This was confirmed by Liaquat Ali Khan in No. 25. Also see Appendix III. 8, para 6.

III. 8

Viceroy's Conference Paper V.C.P. 115 Mountbatten Papers¹

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI,
5 July 1947

Attached is a note² prepared as a brief for C.V.S.³ on his visit to London.

V. F. ERSKINE CRUM
Conference Secretary

¹No. 521, TP, XI, 914-7.

²Enclosure.

³H. L. Ismay, Chief of Viceroy's Staff.

Enclosure to No. III. 8

THE HISTORY OF THE VIEWS EXPRESSED AND DECISIONS REACHED BY THE INDIAN LEADERS ON THE APPOINTMENT OF GOVERNOR-GENERAL

1. On 17th May, 1947, (the day before the Viceroy left for his visit to London) Pandit Nehru wrote to H.E. giving his comments on the Draft Announcement. Included in this letter¹ was the paragraph: "We agree to the proposal that during this interim period the Governor-General should be common to both the States, if there are to be two States. For our part we shall be happy if you could continue in this office and help us with your advice and experience."

2. His Excellency verbally indicated, to Pandit Nehru and Sardar Patel, acceptance of this offer. He pointed out, however, how difficult it would be for him to remain on as Governor-General of one Dominion only. He therefore qualified his acceptance by adding that it would be subject to a similar invitation being received from the Muslim League, whereby he could act as Governor-General of both Dominions for a short interim period until partition was completed.

3. Also on 17th May H.E. had an interview with Mr Jinnah and Mr Liaquat Ali Khan. The following is an extract from that interview:²

"His Excellency the Viceroy said that he intended to recommend to H.M.G. that the transfer of power in India should take place as soon as possible—preferably by 1st October. He had informed the Prime Minister of Mr Jinnah's expressed desire that Pakistan should remain within the British Commonwealth. Congress had now put forward a similar request. He intended to go ahead and pass both requests to H.M.G. The question which now required clarification was whether Mr Jinnah would prefer Pakistan to have its own Governor-General or to share a common Governor-General with Hindustan. He asked for Mr Jinnah's personal views.

Mr Jinnah said that he could not commit himself on this subject straight away; but he had been giving some thought to it and he felt that it would be better to have two Governors-General. Also there should, in his opinion, be a Representative of the Crown to be responsible for the division of assets as between the two States. Mr Jinnah said that he was extremely keen that His Excellency should fill this post. He said that he had complete faith in His Excellency, all of whose awards would be binding on him. He vehemently and repeatedly declared his desire that His Excellency should stay on in India.

His Excellency the Viceroy said that he was very honoured by Mr Jinnah's remarks. However, he could not consider taking on a post such as Mr Jinnah had suggested nor could he think of anybody else who would wish to do so. It would be an impossible position if the so-called "Arbitrator" was junior in rank to the Governors-General who would be the King's representatives.

Mr Liaquat Ali Khan asked how, if the two States wanted separate Governors-General, it was proposed that all assets would be divided by 1st October. His Excellency the Viceroy replied that in this case the two Governors-General themselves would form an arbitration board. He went on to say that he was under extreme pressure from Congress who had stated that they would not continue in the Interim Government unless they were granted Dominion status immediately after the announcement. He felt that he might be able to hold the situation for a time but certainly not until the end of the year.

After further discussion, His Excellency the Viceroy suggested that Mr Jinnah should send him a letter the following Monday (19 May) giving a full description of his suggestion of a supreme arbitrator and two Governors-General. However, he wished it to be quite clear that he would reserve his personal position unless it was clearly stated by Mr Jinnah in this letter that, if his scheme was found by H.M.G. to be impracticable, he would accept, as a less desirable alternative and as an interim measure, the appointment of a common Governor-General between the two States.

Mr Jinnah at first expressed himself violently opposed to this suggestion but eventually, after prolonged discussion, he said that he would think it over. He pointed out that, if H.M.G. decided, contrary to his own opinion that his suggestion was unworkable, there would be no reason for him not to accept an alternative.

Mr Liaquat Ali Khan said that he quite clearly realised the point which His Excellency the Viceroy wished Mr Jinnah to include in his letter.

It was agreed that Mr Jinnah should give this letter to Sir Eric Mievile on Monday morning, the 19th May,³ and that a copy of it would be sent to Congress. His Excellency the Viceroy pointed out that, besides requiring the approval of H.M.G., Mr Jinnah's suggestion would also require agreement by Congress."

4. The letter from Mr Jinnah referred to in the above extract was never written, despite repeated efforts by Sir Eric Mievile who, it was intended, was to telegraph it to His Excellency in London. Accordingly Mr Jinnah's idea of an "arbitrator" or "stake holder" was put up verbally to representatives of the India Office for their opinion. They were unanimous that such a system would be unconstitutional and unworkable.

5. On the Viceroy's return to Delhi this was explained to Mr Jinnah.

6. Soon after that return, repeated efforts were made to obtain Mr Jinnah's decision as to whether he wanted there to be one Governor-General or two. Lord Ismay and Sir Eric Mievile went to see both him and Mr Liaquat Ali Khan to press for a decision. The following extracts are examples of the interviews which took place:

- a. Extract from Lord Ismay's description of his interview with Mr Liaquat Ali Khan on 20th June—⁴

[6. GOVERNOR-GENERAL AND GOVERNORS

I told Mr. Liaquat Ali Khan that we had already received certain proposals for the draft Bill, and that the Bill itself might reach us on Monday or Tuesday next. Meanwhile HMG had asked us to consult the Indian leaders on the following points:

a. Was there to be a common Governor-General to start with; and

b. What was to be the procedure for appointing Governors.

As regards (a), I reminded him of the conversation that Sir Eric Mievile and I had with him some days ago, but he said that he had not yet had an opportunity of talking it over with Mr. Jinnah. I impressed upon him the urgency of this matter, and emphasised how impossible it would be to get any sort of continuity or any sort of orderly partition if each Dominion had a separate Governor-General. He said that he would consult Mr. Jinnah at the first opportunity.]

b. Extract from the Viceroy's interview with Mr Jinnah on 23rd June—⁵

[The Viceroy started the conversation by saying that, whereas he was not raising the matter on personal grounds, he must ask Mr. Jinnah to give his earnest and early consideration as to whom he would wish as the first Governor-General of Pakistan and also the names of those who he would want as Governors of the Pakistan Provinces. The Viceroy, while stressing the advantages to be derived from having during the partition period a common Governor-General for both Dominions, made it abundantly clear that he was not asking for the appointment himself and that it was an entirely free choice of the two Dominions concerned. The Viceroy further explained that an early decision was required because it affected a clause in the Bill that was shortly to be laid before Parliament. Mr. Jinnah replied by saying that he trusted he would be allowed to see the Bill and to comment on it. The Viceroy said that he had had a great tussle with H.M.G. who had taken the line that it was entirely contrary to Parliamentary procedure for a Bill to be shown to anyone outside the Government before presentation. However, he had fought hard and won and was glad to say that Mr. Jinnah would be given an opportunity of seeing the Bill, although the Viceroy could not allow him to take a copy away. Referring back to the question of the Governor-General, Mr. Jinnah then said that whatever decision he reached would not be taken on the grounds of not wanting the Viceroy, in whom he had implicit trust and confidence, but the rule of his life was that he must always consider the interests of his people. At various times of his career he had had to pass over those nearest and dearest to him. He finished by saying that in two or three days time he would be ready to convey his decision to the Viceroy.]

Despite all these efforts, no reply was forthcoming from Mr Jinnah until the evening of 2nd July. He then told the Viceroy that he himself wanted to be Governor-General of Pakistan.⁶ During the next 24 hours, the Viceroy spent much time in pointing out to both Mr Jinnah and Mr Liaquat Ali Khan, and on one occasion to a meeting consisting of Mr Jinnah, Mr Liaquat Ali Khan, Mr [S. A.] Rahman and Mr Mohamad Ali, the enormous advantages that Pakistan would gain from sharing, for a short initial period, the same Governor-General as Hindustan. The Viceroy has subsequently declared that his conscience is clear that he has taken every possible step that he knows of to put the matter clearly before Mr Jinnah. The last effort made was by the Nawab of Bhopal, who came specially to Delhi for the purpose.

On the morning of 5th July Mr Liaquat Ali Khan confirmed in writing that H.E. should recommend Mr Jinnah's name to His Majesty for the post of Governor-General of Pakistan.⁷ In this letter the hope was also expressed that H.E. would stay on as Governor-General of the Dominion of India only.

Also on the morning of 5th July, H.E. saw Pandit Nehru and Sardar Patel,⁸ both of whom expressed their wish that he would remain as Governor-General of the Dominion of India.

⁶No. 452, Vol. I, Part I, 814-8.

⁷Also see Appendix XIV. 27, paras 4-12, Vol. I, Part II, 680-1.

⁸See No. 444, Vol. I, Part I, 795.

⁹First two sub-paras of para 6 of No. 275, TP, XI, 533-4, had been referred to but omitted from the text in the original.

¹⁰Para 1 of No. 311, TP, XI, 580, had been referred to but omitted from the text in the original.

¹¹See Appendix III. 3.

¹²No. 25.

¹³No record of this interview is available in QAP.

III. 9

Viceroy's Conference Paper V.C.P. 116 Mountbatten Papers¹

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI,
5 July 1947

REASONS FOR AND AGAINST LORD MOUNTBATTEN STAYING
ON AS GOVERNOR-GENERAL OF THE DOMINION OF INDIA

1. Attached are—

a. A paper setting out the reasons against Lord Mountbatten's

staying on as Governor-General of the Dominion of India.
This was prepared by the Personal Secretary.²

- b. A paper setting out the reasons in favour of Lord Mountbatten staying on as Governor-General of the Dominion of India.
This was prepared by the Conference Secretary.

2. These papers were taken as a brief by Lord Ismay on his visit to London.³

V. F. ERSKINE CRUM
Conference Secretary

¹No. 522, *TP*, XI, 917-21.

²R. V. Brockman.

³Ismay left for London on 5 July.

Enclosure 1 to No. III. 9

REASONS AGAINST LORD MOUNTBATTEN STAYING ON AS
GOVERNOR-GENERAL OF THE DOMINION OF INDIA

1. If H.E. accepts the appointment of Governor-General of the new Dominion of India alone it will have a mixed reception in the Indian Union. It must be remembered that the invitation¹ has been extended by the Nehru/Patel clique; in other words the conservative element of the Party who are now old enough and wise enough to know that they need some help during the coming months.

2. But there is a large body of opinion in the Indian Union, including the Socialists and the Communists, who want all the British to leave on the transfer of power and Gandhi in particular has often said that the British should quit and leave India to work out their own salvation. It will thus undoubtedly be said in many circles in the Indian Union that the British are attempting to retain a hold on the country.

3. The effect of H.E. staying on with the Indian Union alone is bound to have a depressing effect in Pakistan in spite of the unassailable position which Jinnah holds in the minds of the Muslims. Certain organs of the Congress press will undoubtedly write up H.E.'s decision in big headlines and the impression on the Muslims will inevitably be that H.E. has deserted them and joined the stronger side.

4. As regards world opinion, there will be considerable criticism by thinking men of H.E.'s acceptance of the post. There is a big volume of opinion all over the world that ways and means should have been found to keep India united and grave doubts have been expressed

about the necessity for partition. As far as the world is concerned partition will have been effected on the 15th August 1947 and two new Dominions set up. The question is bound to be asked why H.E. should stay on at all, and in particular why he should stay on with the bigger and stronger side. There will also undoubtedly be criticism that the smaller Muslim Dominion is being abandoned.

5. At the time when the possibility of H.E. staying on as Governor-General of both Dominions was being considered a very strong point was made of how advantageous this would be from the point of view of completing partition in the months after 15th August, 1947, and it has been suggested that he could equally well carry out this function as Governor-General of the Indian Union alone. But as Governor-General of one Dominion only it is illogical to suggest that he can be expected to act impartially when partition matters are being discussed. Nor would it be reasonable to ask the Indian Union to allow him to be impartial at any meeting he might attend on Partition matters. In fact it would be impossible for him to take any part in partition were he to remain as Governor-General of the Indian Union alone, apart from the advice which he might give to Ministers in the ordinary way as Constitutional Governor-General.

6. It is, therefore, quite illogical to suggest he could be of any real help to partition by staying on as Governor-General of one side only.

7. It will be recollected that when Jenkins and Burrows decided not to stay on in any capacity with either part of their partition [*sic*] provinces,² their decision was applauded as correct and honourable and there is nothing different in the present case which is being considered. H.E. has accomplished all that he was sent out here to do in that he has effected a settlement of the Indian problem and has retained the new Dominions within the Commonwealth after the transfer of power. It would be undignified and morally wrong for him to stay on with one side only after the 15th August 1947 and he should accordingly quit India on that date.

¹See No. 452, Vol. I, Part I, 817-8.

²Jenkins and Burrows were Governors of the Punjab and Bengal, respectively. Also see No. 162, para 32, *TP*, XI, 308.

Enclosure 2 to No. III. 9

REASONS IN FAVOUR OF LORD MOUNTBATTEN STAYING ON AS GOVERNOR-GENERAL OF THE DOMINION OF INDIA

1. Mr Jinnah has now confirmed his wish to have his name submitted

to His Majesty for the post of Governor-General of Pakistan.¹ There are many reasons why the present Viceroy should accept the appointment of Governor-General of the new Dominion of India alone. It is emphasised that it would, primarily, be H.E.'s personality rather than his appointment—his personal relationship with the leaders rather than his position—which would act as a general stabilising influence.

2. Field Marshal Auchinleck has clearly stated that, if Lord Mountbatten left, he himself would resign. The Commanders-in-Chief of the other Services and Army Commanders have expressed similar intentions. The vast majority of British officers as a whole would, in such circumstances, indubitably fail to volunteer to remain. This would lead to the nationalisation of the Indian Armed Forces taking place at the same time as partition. Opinion is unanimous among all, including the Indian political leaders, who have any knowledge of the problem, that this would lead to disastrous results. The one stable element in India, namely the Indian Army, might well disintegrate; and riot and bloodshed on an appalling scale would result.

If, on the other hand, H.E. remained, British officers and officials as a whole, in both new Dominions, would be more likely to volunteer to remain themselves. They would feel, after their experience in S.E.A.C. [South East Asia Command] and latterly in India, that there was someone to look after their interests. The result would be that partition of the Armed Forces would go through smoothly; and chaos would be avoided.

3. If H.E. were to stay as Governor-General of India, the Partition Council and Arbitral Tribunal decisions would stand a far better chance of being implemented, whether or not H.E. personally remained as Chairman of the Partition Council or whatever body takes its place.

4. Smooth partition and H.E.'s general personal influence on other matters, would mean that the relations between India and Pakistan would stand a good chance of being friendly. The first object of India's foreign policy must of necessity be the maintenance of good relations with Pakistan—and *vice versa*.²

If H.E. were to go, one of the main reasons which would lead to deterioration of relations between the two Dominions would be that the Congress Leaders would feel that it was because of Mr Jinnah's attitude that H.E. had not stayed on, and that he had again sabotaged their plans. The patience of the Congress Leaders with Mr Jinnah's interference in their plans is well-nigh exhausted.

5. In the Dominion of India itself there would be a greater chance of stability if H.E. remained. Although there is still some communal

tension, the situation has been improved out of all measure over the last three months because of H.E.'s presence. The advantages to the new Dominion herself are surely most apparent in the fact that Pandit Nehru and Sardar Patel, who are the best judges, have themselves asked H.E. to remain.

6. The situation in India after the transfer of power and the state of relationship between the two Dominions is going to have the greatest effect on the situation in S.E. Asia and indeed on the world as a whole.

7. There will be very real need, after 15th August, for some independent agency capable of resolving the difficulties which are bound to arise between India and the States. H.E.'s advice to the Indian Government on how to deal with the States, and to the Rulers themselves on how to deal with the Indian Government, would be invaluable. The Nawab of Bhopal has said that the continued presence of H.E. is "the only hope" for the States.

8. Although the reactions of the "Westminster Front" are unpredictable from this distance, it is felt that the Opposition would be unlikely to oppose the passage of the Indian Independence Bill if they knew that H.E. was going to stay on. It must always be borne in mind that the Opposition, if they turned sour at the prospect of two Indian Governors-General in the new Dominions, could still so delay the passage of the Legislation that it would not be possible to transfer power on 15th August.

9. Mr Jinnah has stated that he would welcome H.E.'s appointment as Governor-General of India. This has been confirmed in writing by Mr Liaquat Ali Khan.³ All informed Muslim League opinion, which it has been possible to obtain, agrees. The Nawab of Bhopal has given his opinion that Pakistan itself would benefit enormously.

10. It is self-evident that all the advantages quoted above would be to the benefit of the Indian people themselves. It is also apparent that there would be considerable advantages from the purely British point of view, although these also, in the long run, will doubtless favourably affect the welfare of India.

11. From the British point of view, it would be of the greatest prestige value that Congress, after so long a fight for independence, should ask that their first Governor-General and two of their Governors should be British. It is doubtful whether these two Governors, Sir John Colville and Sir Archibald Nye, would stay on if H.E. did not. If H.E. remained, India would be much more likely to remain within the Commonwealth for a long period or even permanently. The change of heart (so evident during the last three months) of Indians towards the British would not be reversed. And the prestige of the Commonwealth, and all that it stands for, would be increased.

If H.E. were to go, and if the Indian Government were thus turned down in their application for a British Governor-General, they would be as a lover scorned. The relations between India and Britain, which had improved so miraculously in the last three months, would again deteriorate at an unforeseeable rate.

12. Finally, surely world opinion will be in no mood to criticise H.E.'s acceptance of the post. Indeed, if he went, it is likely that there would be a considerable volume of criticism, both immediate and long term, that he was leaving the job half done and making a "quick get away".

¹See No. 25.

²Italicised in the original.

³See No. 25 and Appendix III. 6.

III. 10

Louis Mountbatten to Clement Attlee

Public Record Office, PREM 8/549¹

PERSONAL/CONFIDENTIAL THE VICEROY'S HOUSE, NEW DELHI,
5 July 1947

My dear Prime Minister,

I hope you will not mind my sending Pug Ismay home. But I have reached a dangerous *impasse*.² As you know, it was Jinnah who always begged me to stay as Viceroy or overall Governor-General, or in some capacity over the two Dominions until partition was complete; and it was Congress who were unwilling that I should have anything to do with the League. It took me quite a bit of persuasion, when Nehru asked me to become the first Governor-General of the Dominion of India, to get him and Patel to agree that I should also be allowed to act in the same capacity for Pakistan in order to retain my impartiality.

Ever since my return³ no efforts on the part of Ismay, Mievile and myself, have ever elicited from Jinnah the smallest hint of what was in his mind; even his closest advisers like the Nawab of Bhopal and Liaquat Ali Khan appeared to be seriously under the impression that he would accept me as common Governor-General. Indeed at a meeting of the Partition Council this week he referred to there being only one Governor-General for the two Dominions.⁴ You can imagine therefore what a bombshell it was when he suddenly announced his intention of being the Governor-General of Pakistan himself.

I have always held, and frequently stated my view, that it would be morally indefensible for me to stay with one side alone after having dealt impartially and justly with both sides for so long. I still adhere to that view.

There is, however, another moral consideration, which is that, though Jinnah having misled us, we have quite unintentionally misled Congress. There is no doubt that from mid-May up to this moment it has never entered their minds that I would not stay with them. Further, if I now refuse, they will say that Jinnah has secured his last triumph over Congress and through me.

I do not want to conceal from you that I consider the whole of this situation to be my fault. I should have foreseen it, and have cleared the position with both Jinnah and the Congress one way or the other three or four weeks ago. As it is I am painfully aware of having put the British in an *impasse*; for whichever way the decision goes it can rightly be held that I shall have let down one side or the other.

I feel that I must seek a decision from the King based, of course, on your advice. I hope also that you may feel it right to consult the Opposition. If it is your wish that I should be Governor-General of the Dominion of India, at all events till partition is over in April, then I trust that you will be able to make that clear in the debate. If on the other hand it is your wish that I should refuse, I am of course prepared to take full responsibility on my own shoulders, since it would embarrass H.M. Government with the Government of the future Dominion of India if they were to refuse to allow an Englishman to accept the position of first Governor-General.

I have put some of this background into my Personal Report,⁵ so that the Cabinet Committee may know the situation, but only Pug Ismay can give you the full background since fortunately he was present when Jinnah begged me to stay with the Dominion of India in the interests of Pakistan!

I can only say how sorry I am to have produced this situation.

Yours very sincerely,
DICKIE MOUNTBATTEN

¹No. 523, TP, XI, 921-2.

²Italicised here and subsequently in the original.

³Mountbatten returned from London on 30 May.

⁴No reference to such a view having been expressed by Jinnah is available in the minutes of any Partition Council meeting during the week ended 5 July. However, the decision taken on the composition of the Joint Defence Council refers to the Council consisting, *inter alia*, of "The Governor-General or Governors-General". See Enclosure to No. 7, Case No. PC/7/2/47.

⁵Appendix III. 6.

III. 11

*Edwina Mountbatten to Louis Mountbatten
Mountbatten Papers¹*

SECRET

5 July 1947

1. The first essential will be to discuss freely and openly with Pandit Nehru, Sardar Patel and the Congress Leaders the new situation which has arisen, and this must be done before Lord Ismay's departure for London. In this discussion presumably it will be necessary to tell them frankly of Mr Jinnah's attitude and decision and to ascertain whether their offer to you to become Governor-General of the Union of India be once again confirmed in the light of more recent developments.

2. It is also essential I feel that Congress should be in complete agreement with the time limit which is being proposed for your appointment, i.e. approximately mid-April 1948. This factor seems important as it may well be that the situation in India and in Pakistan may still be very serious at that period, and Congress may well feel that they could not accept a Governor-General who would be pulling out at a time when the position in India was still a very grave one and when it would be extremely difficult to appoint a high powered successor to deal with Mr Jinnah. Partition may not even have been effected by mid-April and I think that if any question of accepting the Congress offer is considered one will have to face up to the fact that, even if now they agree to the provisional date, they may come and ask for an extension and it may be equally difficult to pull out then as it would be now.

3. There is another factor which worries me and that is that if Mr Jinnah adopts the complete Hitler attitude, even if that attitude were to be for the destruction of Pakistan and remove the chance of getting the assets he so badly needs, you will find yourself placed in a very difficult position and might, as a constitutional Governor-General to Congress, possibly prove a liability more than an asset. I think this is most unlikely but it should be borne in mind.

4. Finally there is the factor that if the Congress offer is accepted one will have both mentally and practically to be prepared to serve their interests completely, excepting in those cases where approval will have been received for your services to be used for the best interests of both communities in connection with taking the Chair at Meetings, etc. If Congress felt that you were accepting the offer with the intention of seeing that Pakistan got a square deal from Congress, I

sincerely think they would decide they would sooner be served by someone else.

Two personal views I would add are these:

A. I have read carefully the papers prepared by and discussed with your staff on all the various schemes formulated, and particularly the advantages and disadvantages existing if, as now, you are placed in the position where the offer of the Governor-Generalship comes only from Congress. I am afraid that I find the arguments they put forward in most cases contradictory in themselves such as the point in one paper that if you accept office you and the British would certainly be open to the criticism of partiality,² while at a later stage the views expressed indicated that the feeling is [that] there would be no criticism of this kind.³

I feel however that they are right in trying to make the course as fair and as easy as possible in what is an almost impossible situation, and in the decision on which we must all sympathise with you, stand by you, and advise in the best practical manner.

B. One thing that weighs heavily with me on this whole question and makes me consider that you have a real duty to Congress is the fact that you are in some ways I think in honour bound to them by having let them understand that you would remain here to give your support after the 15th August, and although this was only a verbal assurance and had important qualifications they would, I am certain, feel you had broken faith with them. This however will be cleared up presumably by your talk with them.

E[DWINA] M[OUNTBATTEN] OF BURMA

¹No. 524, *TP*, XI, 922-4. Copies of this note were sent to H.L. Ismay and R. V. Brockman.

²See Appendix III. 1. Also see Enclosure 1 to No. III. 9, para 4.

³See Appendix III. 2. Also see Enclosure 2 to No. III. 9, para 12.

III. 12

Viceroy's Fifty Third Staff Meeting¹
Mountbatten Papers

SECRET

THE VICEROY'S HOUSE, NEW DELHI,
7 July 1947, 10 am

PRESENT

Louis Mountbatten

Claude Auchinleck (Item 4)

Eric Mievile

V. P. Menon

Douglas Currie²I. D. Scott³George Nicholls⁴

Erskine Crum

Item 2

GOVERNORS-GENERAL

The Viceroy stated that one of the main reasons why Her Excellency had expressed an opinion opposed to the suggestion that he should remain as Governor-General of the Dominion of India⁵ was that his whole staff had, three or four weeks previously, agreed that it would be unthinkable for him to stay on with one Dominion only. He said that it had been a great surprise to him when his staff, with the exception of Captain Brockman, had unanimously advised him that he should stay on. He still felt that, if he did so, there was very real chance that he would be accused of acting dishonourably.

Colonel Currie said that he held the same opinion in this matter as the majority of the rest of the staff. He considered that the implications of His Excellency leaving had not been fully realised before—and that these implications were likely to be very serious. Practically, in effect, they might be disastrous.

Sir Eric Mievile suggested that the main reason why the staff had, three or four weeks previously, advised against His Excellency remaining as Governor-General of one Dominion only was because they felt it likely that, in such circumstances, his usefulness would in the main disappear after the transfer of power, and that he would not be able to take the Chair at the Partition Committee and at the Joint Defence Council. All that, however, was now completely changed because of Mr Jinnah's attitude. His Excellency confirmed that Mr Jinnah, at his interview two days' previously, had been at great pains to emphasise what a great help to Pakistan it would be if he (His Excellency) stayed on in any capacity. Mr Jinnah had also at that interview agreed to His Excellency acting as

Chairman of the Joint Defence Council.⁶ Mr Jinnah had stated that nobody would question His Excellency's impartiality—such a thought would not enter the minds of members of the Muslim League.

Rao Bahadur Menon said that Congress opinion was unanimous that His Excellency was the only person who could possibly help them to tide over the difficulties which were bound to arise during the next six months or year: this applied particularly to difficulties in connection with the States.

Later in the meeting, Field Marshal Auchinleck gave his opinion that there might be adverse Muslim comment to His Excellency staying on as Governor-General of India only. This might be circumvented by a public statement by Mr Jinnah. Field Marshal Auchinleck gave his view that His Excellency must stay on in one capacity or another. He said that he did not think that he and other senior officers would be able to carry on without His Excellency's guidance and support.

[Items 3 and 4 omitted]

¹No. 545, TP, XI, 946-7, which begins with item 2.

²Military Secretary to the Viceroy.

³Deputy Private Secretary to the Viceroy.

⁴Deputy Personal Secretary to the Viceroy.

⁵See Appendix III. 11.

⁶No. 35, note 1. Also see No. 533, para 4, TP, XI, 935.

III. 13

Clement Attlee to Louis Mountbatten

Telegram, R/3/1/162¹

IMMEDIATE/SECRET

7 July 1947, 1.24 pm

Received: 7 July, 7.30 pm

No. 79. Private and personal from Prime Minister.

Your 1725-S² and later personal and private telegram.³ This news is indeed a surprise and I am glad that you sent Ismay home. I will talk the whole matter over with him and then telegraph to you further. I am very sorry that this should have been added to all your other cares and worries. Whatever the outcome no one could have done more or better than you.

All good wishes.⁴

¹No. 551, TP, XI, 956.

²Appendix III. 3.

³Appendix III. 7.

⁴Mountbatten replied in telegram 1831-S of 8 July 1947: "Thank you so much for your heartening telegram of 7th July." R/3/1/162.

III. 14

*Nawab of Bhopal to Louis Mountbatten
Mountbatten Papers¹*

TOP SECRET/PERSONAL

QASR-I-SULTANI, BHOPAL,
7 July 1947

My dear Dicky,

Since my return to Bhopal I have been thinking of our conversations² and have been turning over in my mind the question which you put to me... "to stay or not to stay." I realise that this is a very difficult problem for you and that from the point of view of anyone trying to offer advice it is even more difficult, because it is virtually impossible to exclude considerations affecting you in your position as Viceroy and Crown Representative, from decisions which you may wish to make in your personal capacity. I hope therefore that you will realise that the advice which I am about to offer is not only based on very incomplete data but is offered by me as Hamidullah, your personal friend, to you as Dicky Mountbatten and not as Viceroy!

I may be talking through my hat, but as a privileged spectator with a good position in the grandstand my advice, after carefully weighing all the factors known to me, is don't carry on after August 15th. In offering this rather negative piece of advice I am doing so purely from the point of view of your personal considerations. There may be other aspects of the question of which I know nothing, which may compel you to remain on for a further eight months. I do not know what they are but I cannot help being left with the impression that some pretty large crisis is expected in March or April next. I think it inadvisable to say more at this stage and would prefer not to put my reasons in writing but would welcome the opportunity of a further talk some time if you feel that this would be useful. I have ventured to advise you not to stay in spite of the knowledge and conviction that your presence in our midst may be most valuable to me personally, and may help me in my effort to protect my State and safeguard its interests. It might also be helpful to Pakistan.

To return however to your immediate problem and speaking as a close observer of the great events which have unfolded themselves since the date upon which you took over the Viceroyalty of this country, it seems to me that the psychological moment for your departure will be the date upon which the two new Dominions of Pakistan and Hindustan are officially created. They are *your*³ creation and you have

succeeded where all others have failed. You are the architect of the new edifice, and though the project contemplates razing the edifice of the States to the ground, it nevertheless is a great achievement. This was perhaps inevitable as those who were your strongest bulwark, and true and loyal friends, had also inevitably to go with you. Once the plans have been completed and approved, your job is done. If you attempt at putting bricks and mortar together, you may fail. Why risk it! If you leave now you will be going out on the flood tide, and on the crest of the wave, for your personal prestige can never be higher both in British India (which alone seems to count) and at home. If you try and hang on, public opinion may inflict upon you the same fate as was meted out to Churchill. Again I may be talking nonsense but I know my country and though I am not in possession of even half the facts, I foresee a very difficult period in this country when the two Dominions, flushed with the first feeling of real power but probably lacking the essential qualities of experience and restraint, will begin bickering, and hack politicians (men with vision and realistic outlook like Patel notwithstanding) will come like a swarm of house-breakers and will start messing about with your original edifice. If you stay you will be in a difficult position for you will probably neither be in agreement with the alterations and modifications nor will you be in a position to prevent them.

I know you hate leaving a task half done. It would have been different if you were Governor-General of both Dominions. You may perhaps be able, in a much lesser degree, of course, to help the States and Pakistan, even if you stayed on as Governor-General of Hindustan. But if you wish to assist the States and Pakistan as I have reason to believe you do, you can do so, perhaps to a greater extent by giving your support to them from England. You can also help Hindustan from there. As a Constitutional Governor-General of Hindustan alone you are bound to come in conflict in some matters, at any rate, with the interests of Pakistan and the States, which in view of coming international situation, should, if at all possible, be avoided. The strategic position, *vis-a-vis* Russia, of Pakistan and the Middle East which is total Moslem would demand the closest understanding between Great Britain, U.S.A. and the Moslem World. You know better than I can ever pretend to do, the value of the Indus Valley and its military importance to America and Great Britain. A friendly Hindustan is also essential, I admit, provided we can save it from Communism. But can this be achieved by the present leaders of the Congress? I very much doubt it. I may be a pessimist, but in a matter of this nature optimism must not be

allowed to ignore realities and naked facts. The States may have been a big check, but they have been forced to merge with Congress, and will in future be represented in the Councils of Hindustan by rabid, half-educated, ignorant men owing allegiance to Congressmen with ultra communist tendencies. The value of all those States who are joining Hindustan through the Constituent Assembly to the cause you and I uphold will, to my mind, be negligible. You may feel that you being with Hindustan may help this cause. But after the 15th of August there is very little hope in this direction whatever the Congressmen may at present say. Here again, I may be talking humbug. Let it be so. You wished me to be blunt and outspoken, and I am giving you my views frankly and without reserve.

So my advice is that, unless there are Imperial considerations which I for one feel do exist in a broader field, making it imperative that you should carry on, go while the going is good. If later there is a mess up it is quite possible that both Dominions may ask you to return for a second term. Then you can again come on the crest of the wave and if they ask you—do come. If you are Governor-General of one Dominion only, your position will be very difficult as you will be in control of only half the house,—may be the larger half but the other half has a better position—and you may have unpleasant neighbours living in the other half.

So there you are Dicky; this is my advice. Please take it in the spirit in which it is given. I am only speaking from the boards on the side of the field and I am only speaking to you as an unencumbered individual which I know is just what you are not! If ever I can be of any help to you, you know you can count on me, and if you want me for further discussions on any point such as the strategic defence of Pakistan, just let me know and I will be at your door-step without wasting any time.

You can throw this letter in the waste paper basket. I will quite understand, and please don't misunderstand what I have said. I have given you candid advice, only as a friend, and on the basis of things as I see them, but I fully realise that I may be totally wrong.

Yours very sincerely,
HAMIDULLAH

¹No. 561, TP, XI, 968-71.

²Mountbatten had asked Nawab of Bhopal to point out to Jinnah the advantages of a common Governor-General for Hindustan and Pakistan. See Appendix III. 5.

³Italicised in the original.

III. 15

*The Earl of Listowel to Clement Attlee**L/P&J/10/81¹*

TOP SECRET

INDIA OFFICE,
7 July 1947

SECRETARY OF STATE'S MINUTE: SERIAL NO. 115/47

1. I attach a note by my Office prepared for you, for perusal before tonight's meeting of the India and Burma Committee, on various aspects of the problems that arise if there are to be two Governors-General from 15th August. The points raised all need attention, though possibly some of the suggestions made may, after discussion with Lord Ismay, not prove to be the best line of action to take.

2. Assuming that there are two Governors-General after the 15th August, the question arises of the date when such a decision is to be made public. The Viceroy assumes² that it should be next Thursday,³ on the Second Reading of the Bill. This seems doubtful. No doubt it would be essential to let the leaders of the Opposition here know, before discussion on the Bill starts, what is likely to happen, otherwise they could well say that they had been led up the garden path. Nevertheless presumably the right time to make any announcement would be after the Bill becomes law and when the Viceroy is reconstructing the Interim Government. Incidentally, it would be hardly fair to Congress to make some pronouncement on Thursday giving them only 24 hours to define their own attitude. There is of course the risk of leakage during the next fortnight, and it *might*⁴ become necessary to make known this development earlier. If the actual position is not to be made abundantly clear in your statement on the Second Reading, no doubt this would be so phrased as to minimise the risk of Parliament, other than Opposition Leaders, being able to say that it had been grossly deceived. From that point of view the form of the proviso to Clause 5 of the Bill is less awkward than would have been its original version.⁵

3. Perhaps the best course would be to take the bull by the horns and make a statement, on the opening of the debate, on some such lines as the following:

"As soon as the Bill receives the Royal Assent, the Viceroy will reconstitute his Executive Council (or Cabinet as it is already being termed in India) so as to transform it into two separate halves ready to divide finally on 15th August. It is for this purpose that Clause 9(D) (e)⁶

has been inserted in the Bill. As soon as this has been done the Viceroy will ask the two sides what advice they wish transmitted to His Majesty as regards the appointment of Governor-General for India and Governor-General for Pakistan from 15th August. It would of course be perfectly proper for them to decide that it would be preferable to have two separate Governors-General from the start.

If, however, they are in agreement that they would like His Majesty to appoint the present Viceroy to serve as joint Governor-General for both India and Pakistan for a strictly limited period in order to facilitate partitioning generally, and in particular to make more readily possible a wide use of the powers in Clause 9, then His Majesty's Government would regard it as entirely appropriate that Lord Mountbatten's services should be made available for this purpose.

The choice between these two courses must of course be entirely for the Indian Leaders. Their decision would naturally have to be made as speedily as possible after the Bill becomes law."

LISTOWEL

¹No. 562, TP, XI, 971-2.

²Appendix III. 7.

³10 July 1947.

⁴Italicised in the original.

⁵The proviso in Clause 5 of Enclosure 1 to No. 1 was redrafted by the British Government as italicised there and shown in square brackets. Also see No. 440, TP, XI, 808.

⁶No. 469, TP, XI, 839.

Enclosure to No. III. 15

SITUATION IF THERE ARE TWO GOVERNORS-GENERAL FROM 15TH AUGUST

Memorandum by India Office

TOP SECRET

7 July 1947

1. Although there are no provisions in the Bill which are formally inconsistent with there being two Governors-General from the appointed day onwards, the Bill was of course drafted on the assumption that there would be one Governor-General during a transitional period possibly lasting up to the end of the period mentioned in Clause 9(5), viz. originally 15th February altered at the last moment to the 31st March.

If the Bill had been drafted from the start on the assumption that there would be two Governors-General as from the appointed day, its form would no doubt have been rather different and possibly slightly

better fitted to such circumstances; but no devices and no form of drafting could ever have surmounted the obstacle that, if the timing of the establishment of the two new Dominions had to be before the job of partitioning was complete or well on the way of completion, potential chaos over partitioning is inevitable in the absence of some one person (or body) clothed with constitutional authority to issue, for partition purposes, orders affecting *both*¹ the new Dominions.

2. If there are two Governors-General, Orders under Clause 9(I), *if made after the 15th August*, are, by virtue of Clause 19(I) (c) Orders of the Governors-General, "acting jointly", except where the Order only "concerns" one Dominion (see Clause 19(I) (a)). Accordingly if the Governors-General do not agree and act jointly, it becomes impossible theoretically to operate Clause 9(I) at all, as respects matters which concern both Dominions. Actually what will probably happen is that both Governments will issue what orders they like, contending, often plausibly enough, that only their own Dominion is "concerned". Their own servants will obey them and in any event they can get any necessary legal cover from their respective Constituent Assemblies afterwards. If this position develops, "India" has of course almost all the cards in its hand.

3. Orders under Clause 9(I) can be made by the existing single Governor-General between 3rd June and 15th August; and, if there was any disposition on both sides to get as much partitioning settled as possible before 15th August, it might be possible to get constitutionally valid orders made covering some of the ground at all events, e.g. about the Courts.

Conceivably the order-making power might be used before 15th August in a way that was certainly never originally intended, namely to give some sort of cover, for what it was worth, to general schemes for partition of which the general principles have already been agreed, or for delegating power to some arbitral body. This tentative suggestion needs further examination before it can be said definitely whether it is likely to prove practicable or useful. Possible examples are the following. There is an indication, not so far quite certain, that Congress and the League have at last agreed to set up an Arbitration Tribunal with Spens, the Chief Justice, as Chairman. If this is correct, conceivably it might be possible, for what it is worth, for the Governor-General to appoint the Arbitration Tribunal by order under Section 9(I) with terms of reference defining the scope of its work and include in the order a provision that, over that field partition is to be carried out in accordance with the award of the Tribunal. Or again, just conceivably, an order might be made setting out the principles for dividing the Indian Army which have already been agreed. This would be an order under Clause 11(I).

4. The appointment of two separate Governors-General has

unfortunate reactions on Clause 9(I) from another point of view. The powers the Clause gives to the Governor-General in matters which concern his own Dominion only are exceedingly wide; he has indeed virtually a free hand with the institutions (including the judiciary) of his Dominion unless and until the Constituent Assembly succeeds in controlling him, and the Bill is (necessarily) silent as to his tenure of office and as to the extent to which he acts on advice. This position is innocuous and convenient if the Governor-General is a disinterested and transitory Englishman such as Lord Mountbatten. Quite different considerations plainly arise if the holder of the office is an ambitious Indian. Firstly, a very embarrassing position might arise for the King, if the Governor-General—His Majesty's Representative—sought to use his position as Governor-General to secure for himself a position of greater importance or permanence than his countrymen were willing to give him. Secondly there may well be criticism in Parliament of the policy of giving to any Indian powers as wide as those conferred by Clause 9(I). It is understood that their wideness has in fact already been commented on unfavourably by Lord Simon.

5. Even if there are two Governors-General from the 15th August the position of the British Forces after the 15th August seems constitutionally to be satisfactory under the Bill. There can be a Commander of those Forces fully under the operational orders of the War Office. The role of Auchinleck needs, however, further consideration.

The Indian Governments would have power to do things which would very much hamper the British Forces, but it does not seem likely that they would wish to do anything to stop their withdrawal.

6. The chances of disturbances during the transitional period are possibly rather greater if the present Viceroy is no longer there, even for a short period, after the 15th August. This makes it more important than ever to make sure that there is a complete marrying up of plans for the withdrawal of British troops and the getting out of India civilians who do not wish to stop. No doubt, from the British point of view, the worst danger point, if there is much further communal rioting, is Calcutta, and it seems desirable to give special attention to this problem.

7. If the present Viceroy vanishes as from 15th August more importance than ever will attach to the post of British High Commissioner in India (and indeed to some extent to the High Commissioner in Pakistan). On the assumption that Lord Mountbatten would still be there for a period, it has always been assumed that, whatever the formal channels of communication, he would in fact play a very considerable part in making agreements, with the two New Indian Governments,

particularly in relation to our strategical requirements in India of the kind described in the memorandum by the Minister of Defence I.B. (47) 135.² If Lord Mountbatten is not there, all representations which are not written Government to Government communications will presumably have to be carried on by the High Commissioner, though of course aided by technical military experts. It therefore becomes desirable to review the question of the filling of this post and the strength of his organisation.

¹Italicised here and subsequently in the original.

²The note by A. V. Alexander sought advice on the method of approach to the successor Dominions regarding external defence of India after independence, continued provision of military or transit facilities, and the long-term British strategic requirements. See No. 486, minute 1, *TP*, XI, 866.

III. 16

Thomas Rowan¹ to Clement Attlee

R/30/1/11²

7 July 1947

Prime Minister,

You should see the attached note³ about Governors-General of India before you see Ismay.

2. I agree that the Opposition should be told of the changed position as it is likely to develop.

3. But I am not very happy about the draft statement submitted by the India Office. As you know appointments of Governors-General are dealt with direct between the Dominion Prime Minister and the King. It would be improper for the Government here to come in. Any announcement is issued by the Palace. In the present circumstances there are no Ministers of the new Indian Dominions to make recommendations to the King and it has therefore been agreed by the King, after consultation with the Indian authorities concerned. The appointments will be made on the advice of Ministers here, but after full consultation with and in accordance with the wishes of Indian leaders.

It would be clearly undesirable, if not improper, for any announcement about *names*⁴ to be made by the Government. This must be made by the Palace. All that need be said I think in the Debate is to explain that two Governors-General can be appointed or one as the Indian leaders decide; and that in the special circumstances which I have set out above the recommendations will be made by Ministers here in accordance with the wishes of Indian leaders. Announcements about

the appointments will be made in due course by the Palace.

(I particularly dislike the passage which I have sidelined on page 3,⁵ which does not take into account the special circumstances of this submission for this time only.)

T[HOMAS] L[ESLIE] R[OWAN]

¹Principal Private Secretary to the Prime Minister.

²No. 563, TP, XI, 975.

³Appendix III, 15.

⁴Italicised in the original.

⁵The passage sidelined was the last two sentences of the first paragraph of the statement in Appendix III, 15, para 3.

III. 17

Cabinet

India and Burma Committee. I. B. (47) 41st Meeting

L/P&J/10/81¹

10 DOWNING STREET, LONDON S.W. 1,
7 July 1947, 9.45 pm

PRESENT

Clement Attlee—in the Chair

Stafford Cripps

Christopher Addison

Christopher Mayhew

Robert Chorley³

H. L. Ismay

S. E. V. Luke

Francis Turnbull

A. V. Alexander²

The Earl of Listowel

Arthur Henderson

Archibald Carter

Walter Christie⁴

Geoffery Wilson

Minute 1

THE GOVERNORS-GENERAL OF THE INDIAN DOMINIONS

A Record of the Committee's discussion and of the Conclusions reached is contained in the Secretary's Standard File.⁵

[Minute 2 omitted]

¹No. 564, TP, XI, 976-83.

²Minister of Defence.

³One of the members of the Parliamentary Delegation sent by the British Government to India in January 1946.

⁴Joint Private Secretary to the Viceroy.

⁵Confidential Annex.

Confidential Annex

THE GOVERNORS-GENERAL OF THE TWO INDIAN DOMINIONS

The Prime Minister invited Lord Ismay to make a general statement.

Lord Ismay said that the Viceroy, before his recent visit to London, had taken the initiative in suggesting to both the Congress and the Muslim League leaders that, in the event of power being transferred in India on the basis of the creation of two Dominions, there would be obvious advantages in the appointment of a common Governor-General. This idea had been acceptable to Pandit Nehru, but not to Mr Jinnah, who had put forward the alternative suggestion that there should be two Governors-General and a Supreme Arbitrator to adjudicate on such matters as the division of assets.¹ Nevertheless, Mr Jinnah had not definitely rejected the idea of one Governor-General, and the Viceroy had certainly been under the impression until quite recently that this arrangement would ultimately be accepted by the Muslim League. In spite of repeated pressure, the Muslim League had avoided making any definite statement of their views on the subject, until the recommendation that Mr Jinnah should be appointed was made formally on behalf of the Muslim League in the previous week. The present position was, therefore, that the Muslim League had definitely nominated Mr Jinnah to be Governor-General of Pakistan. Pandit Nehru and Sardar Patel had been informed by the Viceroy of this development; they had been greatly surprised but had renewed their invitation to Lord Mountbatten to serve as Governor-General of India. Furthermore, the Muslim League had definitely stated in their letter² recommending Mr Jinnah as Governor-General that they would welcome Lord Mountbatten's acceptance of the Governor-Generalship of India.

Lord Ismay said that there were certain hopeful features in the situation. A scheme for the division of the Armed Forces had been worked out³ which offered a reasonable prospect that this operation could be effected smoothly and without dislocation. It was proposed to establish a central Defence Council, and there was some hope that Mr Jinnah would accept Lord Mountbatten as Chairman of the Council. Both parties had shown anxiety to retain the services of British officers, both military and civilian. For instance, Congress had asked for a British Commander-in-Chief for the Army of the Dominion of India, and had invited both Sir John Colville and General Nye to remain in their posts. Mr Jinnah had said that he would wish to have British Governors for four of the Provinces of Pakistan and British officers and advisers in many other posts.

Lord Ismay said that the Viceroy was very uncertain what decision he should take about his own future, and would welcome the advice of His Majesty's Government. He had not so far given a definite reply to the Congress invitation to accept the post of Governor-General of India; on the other hand he had been made aware of a general assumption on their part that he would not refuse. Lord Mountbatten felt that, if he accepted the Congress invitation after being largely responsible for partition, he might be subsequently criticised for siding with Congress and for failing in impartiality during his period of office as Viceroy; he compared his position to that of the Governors of Bengal and the Punjab who had declined to consider taking office in one part of their existing Provinces, after partition. From his personal point of view, he would gladly return in August. As against these considerations the Viceroy felt that it would be wrong to leave his work only partly done out of consideration for his personal interests.

The Prime Minister said that it was no easy matter for His Majesty's Government to decide what advice to give Lord Mountbatten in this matter. In his view, however, there were decisive arguments in favour of pressing him to accept the invitation of the Congress leaders to become Governor-General of India. It was clear that both parties had in fact complete confidence in Lord Mountbatten; Mr Jinnah's nomination of himself was no more than an indication of his own egotism. If Lord Mountbatten left India on 15th August, the alternative candidate would presumably be a Hindu; in that event there was serious risk that grave differences would arise between himself and Mr Jinnah. Moreover, Congress might say that, in advising Lord Mountbatten to leave India, we were yielding to Mr Jinnah at their expense; in view of the attitude which they had adopted on this question, we should take their interests fully into account.

The President of the Board of Trade said that Mr Jinnah's action had created a most unfortunate and difficult situation. While it was admittedly important that the Muslim League should have said that they would welcome Lord Mountbatten's appointment as Governor-General of India, there was a serious risk, as time passed, that his position and reputation would suffer by the continuance of his service in India as Governor-General of Union of India alone. He had achieved a great reputation and remarkable results by an impartiality which had gained him the confidence of all parties. If he became the Governor-General of one Dominion, he would have to take vigorous action, on advice, in the interests of that Dominion, in such delicate matters as the division of assets.

The Secretary of State for Commonwealth Relations said that the paramount consideration must be to secure the successful transfer of power in India on the lines decided upon. There was no one whose qualifications for achieving success in this matter were comparable with those of Lord Mountbatten; for this reason, he felt that His Majesty's Government should try to induce Lord Mountbatten to accept the Congress invitation to become Governor-General of India.

The Secretary of State for India also thought that Lord Mountbatten should be pressed to accept the Congress invitation. No other person could have an equal influence on Congress policy. This factor would be important for three reasons. First, it was still uncertain whether India would ultimately decide to remain in the Commonwealth. Secondly, complex and important negotiations would be necessary between His Majesty's Government and the new Dominion of India regarding future defence arrangements. Thirdly, the partition of assets between the two Dominions would in any event work out unfavourably for Pakistan; Lord Mountbatten would be in a better position than anyone else to exercise a moderating influence on Congress policy in this matter.

There was general agreement among the Ministers that the balance of arguments lay in favour of an attempt to persuade Lord Mountbatten to remain in India for a period as Governor-General of India. While it was recognised that there was some risk that this course might perhaps react unfavourably on Lord Mountbatten's personal position, it was generally thought that, in the interests of the new Dominions of India, he ought to complete the work he had started with such distinction: if his services were lost at this stage, the whole policy embodied in the Indian Independence Bill might be endangered.

The Committee were informed that the Princes were also hopeful that Lord Mountbatten would stay in India; if he went, there was the further probability that many of the British officers of the Indian Army would no longer wish to continue to serve under the new Dominion Governments.

The discussion then turned on the Viceroy's request that an early announcement should be made of the recommendations made by the two Indian Parties for the posts of Governor-General in the new Indian Dominions.

Lord Ismay said that the Viceroy's hope had been that the Prime Minister would be able to explain the history of the matter fully in the House of Commons on the Second Reading of the Indian Independence Bill. Lord Mountbatten had thought that such a statement might

be made in connection with Clause 5, which clearly contemplated the possibility [that] there might be only one Governor-General for both Dominions. He was extremely anxious that the full story should be told in order that there should be no suggestion that his sympathies as Viceroy had been with the Congress Party and that he was now openly committed to their side. If the advice of His Majesty's Government could be telegraphed to the Viceroy on 8th July, he would be able to convey his decision on the following day in time for the House of Commons debate. If this procedure was not possible, Lord Mountbatten would wish to tell Pandit Nehru the position in confidence.

In discussion on this proposal, it was pointed out that it would be necessary to avoid making any statement in terms which assumed that Parliament would enact the Bill under discussion; doubt was also felt about the propriety of mentioning at that stage, before the Bill had been enacted, the names of the persons recommended by the Indian parties for the two Governor-Generalships. In particular, the Secretary of State for Commonwealth Relations felt that the mention of names in the House of Commons might not be acceptable to the House of Lords. Against this, it was pointed out that an announcement that there would be two Governors-General which did not mention the names of the persons concerned might result in grave embarrassment; there would undoubtedly be much speculation in India which might result in strong pressure on the Congress leaders to recommend an Indian as Governor-General. Moreover, there was a serious risk of leakage in India during the period while the legislation was under consideration in Parliament.

The Prime Minister suggested that a statement should be made on the Second Reading of the Indian Independence Bill roughly on the following lines:

"The House will observe that the Bill leaves it open whether there shall be one or two Governors-General for the two Indian Dominions. It had been intimated to us that it would be most convenient to all concerned to have one Governor-General at least in the initial stages, and for some time we proceeded on this assumption. It has recently become clear, however, that the Muslim League wished a separate Governor-General to be appointed for Pakistan. It is obviously very desirable for this matter to be settled at the earliest opportunity in order that the position may be understood in India, and the new Governors-General prepare themselves to take over at the appropriate time. Both Congress and the Muslim League, who have been recognised as the successor authorities have made recommendations, which have been conveyed by His Majesty's Government to His Majesty. While formal announcement must wait the

enactment of the Bill, His Majesty has intimated that he will be prepared to accept these recommendations as soon as the Bill is passed. The recommendations are (here the names would be given). I wish to add that the recommendation of Lord Mountbatten is also welcomed by the Muslim League. I am quite sure that the House will agree with me that this recommendation shows that Lord Mountbatten has carried out his duties in India with complete impartiality and has won the confidence of all the people of India."

Ministers were in agreement that a statement on the lines suggested by the Prime Minister might be made in the House of Commons on the Second Reading of the Indian Independence Bill.

Lord Ismay said that he had asked the Viceroy to confirm whether the Muslim League wished him to be Chairman of the Defence Council.⁴ It was agreed that, if this was confirmed, it would be a very valuable addition to the statement. In that case it might be advisable to omit the reference to the Muslim League's welcome to the Congress recommendation on behalf of Lord Mountbatten, in view of the possibility that this might be unwelcome to Congress.

The Prime Minister said that before any communication was made to the Viceroy it would be necessary to consult the Opposition leaders on the following day; he would then put the matter to the King at his forthcoming Audience with His Majesty.

The Committee—

1. Expressed the hope that Lord Mountbatten would be prepared to accept the Congress invitation for nomination as Governor-General of India.
2. Agreed that a statement on the lines proposed by the Prime Minister might be made on the Second Reading of the Indian Independence Bill.
3. Invited the Prime Minister to consult with the Opposition leaders on 8th July.

¹Appendix XIV, 27, Vol. I, Part II, 680-2.

²No. 25.

³Enclosure to No. 7, Case No. PC/7/2/47.

⁴See No. 35. Also see No. 533, TP, XI, 935-6.

III. 18

FROM FOUNDER TO BUILDER¹

As the news came, first over the Radio on Thursday night and then through the newspapers on Friday morning, that the Quaid-i-Azam had consented to become the Head of the Pakistan State, Muslims throughout this sub-continent and beyond must have been thrilled with a sense of joy renewed—no less than they were 38 days ago when the birth of Pakistan itself was announced. The first thought that comes to one's mind is one of gratitude towards the founder of Pakistan for having agreed to become its builder as well.

During the years of struggle which culminated in the winning of Pakistan without bloody revolution or a conflict of arms—an achievement without parallel in the world's history—the Quaid-i-Azam's role, as he aptly himself described in his speech at the last session of the League Council, has been that of a "Field Marshal" leading his army—which was in this case the entire nation—towards the objective it had resolutely set out to attain. "I have done my job", he declared and said: "It is now for the civil administration to take over." Although these words were spoken in a meeting from which the public had been excluded, they remained no secret. Many were, therefore, anxiously debating whether the nation was about to be deprived even partially of the guidance of its great leader and his active watchfulness over their destiny. They knew the terrible and continuous strain through which he had passed during recent years and how his shoulders must have been pining for some lessening of the heavy burden which they had borne for so long a time. But they knew also that although freedom had been achieved and Pakistan won, the nation still needed its Quaid-i-Azam to guide those on whom would fall the task of consolidating freedom and building up the national State.

There was only one way in which the Quaid-i-Azam could have continued effectively to guide—by becoming the Head of the State. Were it feasible for Pakistan to emerge from the very outset as a full-fledged Republic, the nation would have accepted none else but him as its President. In the present circumstances the analogous position is that of the Governor-General. There may be a difference in the name but not in the contents of this high office. Few relished the prospect that a Briton and an outsider should occupy it at the inception of national independence. In commenting on the India Independence Bill when it was first presented to Parliament we wrote critically of the provision that the same person might act as common Governor-General

of Pakistan and Hindustan, we would have condemned the proposition outright, had we not felt that perhaps the national leaders had agreed to the arrangement as a temporary expedient for the initial months. We are now relieved to find that there was no such consent, and that even the temporary need for it was not recognized. That was in keeping with national sentiment.

While we have nothing against Lord Mountbatten, and we freely recognize that this last Viceroy of a long line has also been the greatest of them, there were obvious objections to his continuing to "govern", however nominally, both the new Dominions. In the first place, a common Governor-General would have created the impression abroad that this sub-continent still somehow retained its one-ness. Such an impression would have been fatal to the dignity and prestige of Pakistan. In the second place, no Briton, however eminent, if placed at the head of the new Muslim State, would have given to that State the character that it was essential for it to acquire from the very start. Nor could his presence have contributed to the satisfaction of that psychological urge of its people to see their independence emerge as a visible reality. In the third place, Pakistan's prestige in the eyes of the world as an independent State would have doubtless suffered if its people chose to install a foreigner as the head of its administration. With the Quaid-i-Azam occupying that position that prestige is assured. Indeed the announcement must have already produced an electric effect on the Chancelleries of the world, because the name of Jinnah now ranks as the greatest not in Asia alone but perhaps in all the five continents.

On the Quaid-i-Azam's shoulders, weary though they may be, will now devolve constructive tasks much like those that fell on the shoulders of Kemal Ataturk,² his only comparable parallel in history. Kemal too founded for his people a new virile State—but out of the already existing remains of a crumbled Empire, and by different means—and he too had to take upon himself the task of building it up. The Quaid-i-Azam's strategy, unique and unparalleled, has enabled him to carve out Pakistan for his own nation, and his task henceforth as Head of the State will be largely like that of "the Father of the Turks." Whatever the constitutional powers of the Governor-General of a Dominion may nominally be, in Quaid-i-Azam's case no legal or formal limitations can apply. His people will not be content to have him as merely the titular head of the Government, they would wish him to be their friend, philosopher, guide and ruler, irrespective of what the constitution of a Dominion of the British Commonwealth may contain. They pray to God that in His infinite mercy He may preserve their Quaid-i-Azam—whom they will continue to call by that dear name—for many long years to come, so

that he who has brought them freedom and founded Pakistan may live to shape it and mould it into the greatest Muslim State of the world.³

¹Editorial, *Dawn*, 12 July 1947.

²Founder and first President of the Republic of Turkey.

³For comments of American Embassy, see Annex.

Annex to No. III. 18
Howard Donovan to George Marshall
US National Archives, 845.00/7-1247

CONFIDENTIAL

AMERICAN EMBASSY, NEW DELHI,

No. 46

12 July 1947

Subject: Appointment of Mohammad Ali Jinnah as Governor-General of Pakistan.

I have the honor to transmit herewith a copy of an editorial published in *Dawn* (Delhi) for July 12, 1947¹ under the title "From Founder to Builder" in which the writer discusses the appointment of Mohammad Ali Jinnah, President of the All India Muslim League, as Governor-General of Pakistan.

It will be noted that, referring to the appointment, the editorial states Muslims "throughout this sub-continent and beyond must have been thrilled with a sense of joy renewed—no less than they were thirty-eight days ago when the birth of Pakistan itself was announced"; describes the winning of Pakistan "without a bloody revolution or a conflict of arms" as "an achievement without parallel in the world's history"; refers to Mr. Jinnah as the "Field Marshal" who has led his army to its objective; states there would have been "obvious objections" to Lord Mountbatten's continuing to govern, "however nominally", both the new Dominions; and compares the tasks before Mr. Jinnah to those faced by Kemal Ataturk when he became head of State.

The editorial further remarks that the people of Pakistan will not be content to have Mr. Jinnah merely as "the titular head of the government", but will want him to be their "friend, philosopher, guide and ruler irrespective of what the constitution of a Dominion of the British Commonwealth may contain". In conclusion, the editorial declares that the people of Pakistan "pray to God that in His infinite mercy He may preserve their Quaid-i-Azam.... for many long years to come so that he who has brought them freedom and founded Pakistan may live to shape it and mould it into the greatest Muslim state of the world".

The editorial, with its somewhat fulsome praise, not only represents

the official attitude of Muslim Leaguers toward their President, but indicates the extent to which his followers are dependent on Mr. Jinnah for leadership. It is probably no exaggeration to say that Mr. Jinnah has conducted his campaign single-handed, and that the only important assistance he has received during the past year has derived from blunders made by the Congress.

Were Mr. Jinnah to become incapacitated in the near future it is difficult to say who would take his place in Pakistan, but it does not follow (as some Hindus seem to hope) that the Government of Pakistan would collapse. Whatever their limitations, Mr. Jinnah's followers—with the initial assistance of foreign personnel—will undoubtedly be able to set up and administer governmental machinery which will compare favourably with that of other Asiatic countries. Threats to the power of Mr. Jinnah's present lieutenants lie not so much in the possible loss of Mr. Jinnah's leadership as in popular movements in Pakistan which may well be directed against a group of "reactionary" leaders.

Respectfully yours,
HOWARD DONOVAN
*Counsellor of Embassy
for the Ambassador*

¹Appendix III. 18.

III. 19

THE "DOMINION" GOVERNOR-GENERAL¹

A number of important announcements were made in Parliament by the British Prime Minister, Mr. Attlee, when he moved the second reading of the Indian Independence Bill. The most sensational of these announcements² is the appointment of Lord Mountbatten as Governor-General of India and of Mr. Jinnah as Governor-General of Pakistan when, under the terms of the Independence Bill, the two Dominions come into being on August 15. Both these appointments have been made on the recommendations of the parties concerned—the Congress and the Muslim League respectively. At first sight it may seem strange—even hurting to Indian sentiment—that the first Governor-General of the Indian "Dominion" should be a non-Indian. Hitherto it has been the practice of the British Government to appoint Governors and Governors-General without any reference to Indian opinion. Almost invariably the choice fell on non-Indians—a practice which served to underline not only the fact of India's political subjection but the intentions of British rulers. Why, it may be asked, should Indian leaders,

now that they have at last got the right to nominate their own Governor-General, choose a non-Indian to fill this high office of head of the State during this interim period? Does it mean that they do not consider any Indian suitable for this trusted and exalted appointment—though the Muslim League has exercised its right in favour of one of its own men for the Governor-Generalship of Pakistan?

It is only natural that such questions should be raised at this hour. Closer examination will, however, show that the Congress has shown both courage and practical wisdom in asking Lord Mountbatten to continue as Governor-General during the few months of the transition period, while, unfortunately, the Muslim League has betrayed an attitude of cheap intransigence in this matter. After all, the period of the transition—before the country reaches the stage of full independence and becomes a full-fledged republic as decided by the Constituent Assembly³—is going to be a very short one. In any case, the final target date fixed for the completion of most of the transitional processes detailed in the Bill is March 31 next.⁴ As Lord Mountbatten has been in charge of the plan⁵ and its execution during the last two months, it is natural to expect that, instead of making an abrupt change just now in the Governor-Generalship, Lord Mountbatten should be invited to stay on for some time longer and help in completing the task. Not only the details of partition—including the division of assets and liabilities, the separation of defence forces, etc.—but several other questions, like the repatriation of British troops, the future policy of the States, the relationship, by treaty and otherwise, between India and the British Commonwealth and also the relations between India and Pakistan will have to be speedily and satisfactorily settled. For practical reasons, if nothing else, the advantage of having Lord Mountbatten as Governor-General during this remaining period of negotiation and settlement appears to have commended itself to the Congress.

For this reason it has been tacitly assumed by all parties that for some time, until all these questions have been finally disposed of, both the Dominions created under the Independence Bill would work with a common Governor-General—just as it is now proposed to have Lord Mountbatten as Chairman of the Joint Defence Council. In the course of his statement in Parliament, Mr. Attlee himself disclosed: "It had been intimated to us that it would be most convenient to all concerned to have one Governor-General at least in the initial stages, and for some time we proceeded on this assumption. It recently became clear, however, that the Muslim League was in favour of a separate Governor-General to be appointed for Pakistan." As a matter of fact, the provisions of the Indian Independence Bill had been framed on the

assumption that there would be a common Governor-General for some time for the two Dominions to facilitate the process of transition. Whatever may be the reason for the League's sudden change in attitude—whether it is merely the usual spirit of contrariness displayed by the League in its political dealings or something worse—the Congress has done well in sticking to its original decision. Under the Independence Bill, the powers and the functions of the Governor-General will be strictly limited. He can only act on behalf of, and in accordance with, the wishes of the Dominion Cabinet. He cannot have any dual capacity or claim to exercise any special authority. In any case, it would be well to make it clear that the period of Lord Mountbatten's Governor-Generalship will be limited—say, till the end of the year—and that, as soon as the major problems connected with the transfer have been completed, his place will be taken by an Indian commanding general public confidence.⁶

¹Editorial, *Indian News Chronicle*, 12 July 1947.

²Annex I.

³See Annex II to No. 420, Vol. I, Part I, 754-5.

⁴Appendix I, 5.

⁵No. 1, Vol. II, 1-6.

⁶See Annexes II and III.

Annex I to No. III. 19

EXTRACT¹ FROM ATTLEE'S ANNOUNCEMENT IN THE HOUSE OF COMMONS ON 10 JULY 1947

GOVERNORS-GENERAL

"But to-day it is necessary for me to make further comment, because the position in relation to the appointment of the Governor-General to the new Dominions is exceptional. It is not possible to follow the normal procedure in this case.

"Under the Bill the Governor-General will have to be appointed as from August 15. Although the two countries become Dominions from that date, there can be no Ministers formally to advise the Crown until a Governor-General has been appointed and Ministers have taken office.

"In these circumstances, it was agreed with the Indian leaders, and the King's approval was obtained, that the Viceroy would consult the recognised leaders of the Congress and the Muslim League as to whom they would wish to recommend for appointment as Governors-General. Then their advice would be formally tendered to the King by the British Government in the United Kingdom.

"This procedure will only apply in the present case. Although the appointments are to be made on the formal advice of Ministers here, they

were, in fact, the recommendations of the Indian leaders themselves.

"So much for the exceptional procedure in the present instance. But the Viceroy has represented that in the interest of all some statement should be made at an early date about the persons to be recommended for the posts. This is a most unusual procedure."

"While the formal announcement must await the passing of the Bill, His Majesty has intimated that he will be prepared to accept these recommendations as soon as the Bill is passed. The recommendations are in favour of the present Viceroy as Governor-General of India, and Mr. Jinnah as Governor-General of Pakistan."

¹The *Pakistan Times*, 12 July 1947.

Annex II to No. III. 19
Howard Donovan to George Marshall
US National Archives, 845.00/7-1247

CONFIDENTIAL
No. 47

AMERICAN EMBASSY, NEW DELHI,
12 July 1947

Subject: Pro-Congress Editorial Comment on Appointment of Lord Mountbatten as Governor-General of India

Sir,

With reference to my despatch No. 46, dated July 12, 1947,¹ on the subject "Appointment of Mohammad Ali Jinnah as Governor-General of Pakistan: Editorial Comment", I have the honor to enclose, for the information of the Department, a copy of an editorial published in the *Indian News Chronicle*² (Delhi) for July 12 in which the Appointment of Mr. Jinnah is criticized, and that of Lord Mountbatten defended.

It will be noted that the editorial states that initially "it may seem strange—even hurting to Indian sentiment—that the first Governor-General of the Indian Dominion should be a non-Indian", but that "closer examination will...show that Congress has shown both courage and practical wisdom in asking Lord Mountbatten to continue as Governor-General during the few months of the transition period, while, unfortunately, the Muslim League has betrayed an attitude of cheap intransigence". The editorial argues that the period before the country becomes "a full-fledged republic" will be "a very short one"; that since Lord Mountbatten has been in charge of the plan for transfer of power "it is natural to expect" that he should be invited to "stay on for some time longer"; and that "for practical reasons" the advantages of having Lord Mountbatten as Governor-General "appears to have

commended itself to Congress". The editorial goes on to say that for some time it had been "tacitly assumed by all parties" that both Dominions would work with a common Governor-General, but that whatever the reason for the League's "sudden change in attitude", Congress has "done well in sticking to its original decision". In conclusion the editorial says the Governor-General's powers and functions will be "strictly limited", and that his tenure of office would be "limited—say, till the end of the year", and that as soon as the major problems connected with the transfer have been dealt with his place "will be taken by a Indian commanding general public confidence".

As the [State] Department is aware, both Lord Mountbatten and Mr. Jinnah will in practice be far more than constitutional heads of their respective Dominions. Having succeeded, through a combination of strategy and bludgeoning, in making Indian and Muslim leaders face realities of the self-government they have been demanding, Lord Mountbatten is undoubtedly better qualified at present than any of the Indian leaders to serve as head of State; and it seems likely that his administration will benefit both Britain and the Indian Dominion. Intra-party and intra-communal jealousies might well make it difficult for a Hindu leader to run the Indian Dominion during this critical period. On the other hand, Mr. Jinnah as the virtual dictator of the Muslim League, will be able to conduct the affairs of Pakistan with little or no opposition from other members of his party, and it may be assumed that the Government of Pakistan will take shape along lines decreed by him. Mr. Jinnah will have no immediately effective opposition.

The editorial in question is therefore something of an apology for the fact that an Indian has not been selected to serve as Governor-General of the Indian Dominion, and an admission that no Indian at present is regarded by his countrymen as better qualified for the position than Lord Mountbatten.

Respectfully yours,
HOWARD DONOVAN
*Counsellor of Embassy
for the Ambassador*

¹Annex to Appendix III. 18.

²Appendix III. 19.

Annex III to No. III. 19
Henry Grady to George Marshall
Telegram, US National Archives

845.00/7-1547

SECRET

No. 528

AMERICAN EMBASSY, NEW DELHI,

15 July, 9 am

Received: 15 July 1947, 5.12pm

I have in last two days talked to Viceroy, Bajpai¹ and others and can advise:

One. Viceroy is quite unhappy about Jinnah's appointment² but will carry on "for a while". He was forced to agree to it or see the whole independence plan³ seriously endangered;

Two. Congress being needled by some party leaders because India too will not have an Indian Governor-General;

Three. Congress developing serious strains and stresses which will probably intensify. Nehru still holding firm leadership but the months ahead will be serious test of his capacity to hold so diverse a group together;

Four. Jinnah will hold leadership with iron hand and new Pakistan Govt. will probably when organized vote him almost complete powers. He will not be a Governor-General in the traditional dominion sense.⁴

Five. His ambition to control is not limited to the boundaries of Pakistan.

Six. The position of a British Governor-General in India *vis-a-vis* Jinnah will become increasingly difficult.

Seven. All this will encourage drive in both dominions for early declaration of complete independence, paced by India,⁵ because of growing dissatisfaction here with a British Governor-General in contrast to Pakistan. This despite Mountbatten's continued popularity. The result may be a premature declaration of independence before the many problems involved in the partition can be carried out.

Eight. There are growing signs of economic warfare between the two parts of India. I will report more fully on this later.

Nine. Indian Govt. quite disturbed about Asaf Ali⁶ who acts without instructions and sometimes against instructions. Bajpai has lessening confidence in him. He intimates this applies also to Nehru.

[State] Department please repeat to London.

GRADY

¹Secretary-General, Ministry of External Affairs and Commonwealth Relations.

²No. 25.

³No. 1, Vol. II, 1-6.

⁴See Appendix III. 6, para 25.

⁵For Resolution on Indian Independence moved in Constituent Assembly by Nehru on 13 December 1946, see Annex II to No. 420, Vol. I, Part I, 754-5.

⁶Indian Ambassador to USA.

APPENDIX IV

NORTH-WEST FRONTIER PROVINCE AND THE
PATHANISTAN ISSUE

IV. 1

*Giles Squire to Hugh Weightman*¹*L/P&S/12/1811*²

SECRET

D.O. No. 706/44/NGO

BRITISH LEGATION, KABUL,

5 April 1947

Dear Weightman,

[Para 1 omitted]

2. As you are aware Afghan anxiety regarding developments on the North-West Frontier has been increasing of late. Since my return from Delhi I have had interviews both with the Foreign Minister³ and the Prime Minister⁴ at which the subject was raised. The view taken by the Afghan Government is that the tribesmen in tribal territory are more closely connected with the Afghan Government than with the Interim Government of India and the Afghans have, as you know, already asked that the tribes should be given the option of securing their complete independence or of joining themselves to Afghanistan if they wish to do so rather than continue as part of India. The Afghan Government feel however that Afghanistan's political position as a separate country precludes them from putting this point of view across to their kinsmen east of the Durand Line⁵ whereas they have received information that missions from both of the Congress Party⁶ and the Muslim League⁷ from India are constantly visiting the tribes in order to try and secure their adherence.

3. I endeavoured to counter this argument by saying that their present difficulties were inherent in the international position and asked for concrete suggestions, adding that I was sure that the Government of India would not wish to put any obstacles in the way of a reasonable presentation of the Afghan case. I pointed out however that the tribal areas,⁸ and in fact the whole of the North-West Frontier Province, were economically dependent on India, and that, whatever the sentiments of the inhabitants might be towards Afghanistan, they could hardly afford to forego the more substantial benefits which at present accrue to them from their association with India.

4. Both the Prime Minister and Foreign Minister assured me that they had hitherto refrained from all efforts to influence tribal opinion but they felt now that in fairness to themselves they can no longer hold aloof. Not only was considerable pressure being put on them by their own subjects but some of the tribes were also complaining that the Afghan Government were giving them no lead or advice in the matter of their political future.

5. It is obvious that the Afghans could, if they wish, either invite tribal leaders privately to visit Kabul or could themselves send secret emissaries to the tribes to advise them and to put forward the Afghan point of view. The Prime Minister said however that they did not want to take action behind the backs of the Government of India; nor indeed had he decided which of these two courses would be open to the [*sic*] fewer objections, though he added that if they invited the leading Maliks to Kabul each of them would bring at least a hundred other Maliks with him and this would cause undue publicity and great embarrassment. It therefore seems as if they would prefer to send emissaries to visit the tribes, though privately and in such a way as to avoid publicity. We can hardly prevent them from doing this and it is obviously better that such emissaries should come with our knowledge and consent [rather] than that they should be sent without it. I am awaiting definite proposals from the Afghan Government. Meanwhile I am sending this report for your information and should be glad of instructions as to the attitude I should adopt towards the more definite proposals which I expect shortly to receive.

6. I am also sending copies of this letter to Baxter,⁹ Donaldson¹⁰ and Caroe.

Yours sincerely,
G. F. SQUIRE

¹Secretary, External Affairs Department, Government of India, 1946-47.

²No. 82, TP, X, 135-6.

³Mirza Ali Muhammad Khan.

⁴Sardar Shah Mahmud.

⁵The boundary negotiated with the Afghan Government by Mortimer Durand on behalf of the Government of India in terms of the Indo-Afghan Agreement of 1893.

⁶The Congress continued its efforts to woo the tribesmen. See No. 226A, Vol. II, 442.

⁷For accounts of exchanges between the ML and the tribes, see Nos. 175, 270, 299 and 371, Vol. I, Part I, 345-6; 470-2; 509-10; 651-2, respectively.

⁸The tribal areas of NWFP comprised Malakand (including Dir, Chitral, and Swat States, Bajaur and Utmankhel), Mohmand, Khyber, Kurram, North Waziristan and South Waziristan Agencies, Phulera, Amb and Political Area of D. I. Khan. See Enclosure 1 to No. 117, Vol. II, 254.

⁹George Herbert Baxter, Assistant Under-Secretary of State, India Office, London.

¹⁰Eion Pelly Donaldson, Assistant Secretary, External Department, India Office, London.

IV. 2

*Gerald Crichton¹ to Giles Squire**L/P&S/12/1811²*

SECRET

D.O. No. D. 3140-NWA/47

NEW DELHI,

24 April 1947

Dear Squire,

Please refer to your D.O. No. 706/44/NGO of the 5th April³ on the subject of Anglo-Afghan relations.

2. We cannot possibly accept the Afghan view that the tribesmen in tribal territory (if by this they mean tribal territory on the Indian side of the Durand Line) are more closely connected with the Afghan Government than with the Government of India. Ever since the Durand Agreement of 1899 (page 256 of Aitchison's *Treaties* Volume XIII) it has been recognised that all territory including the tribal areas on the Indian side of the Durand Line forms part of India. The fact that there is an interim government in India does not alter that position in the slightest and it follows that any overt attempt by the Afghan Government to exercise influence in these areas would be open to the same strong objection as in the past. You will see from Chapter XI of the last *Afghan Precis* (compiled by Dundas)⁴ that this matter has a long history and that Afghan attempts to interfere in our tribal areas have always been strenuously resisted. That attitude, we consider, must be maintained so long as the Afghans continue to recognise the Durand Line as the boundary between India and Afghanistan, and we take it that there is no intention on their part of denouncing it. The attitude of H.M.G. and the Government of India in this matter has in fact already been made clear to the Afghan Government in the course of the recent discussions held with the Foreign Minister on Afghan Frontier Policy—vide para 4 of the record forwarded with my demi-official letter (written as *Charge d' Affaires*) No. F. 706/44 of the 22nd December 1945.⁵

3. As for the other aspects of the matter, it is of course quite irrelevant whether or not the Afghan Government are under pressure from their own subjects; but we are frankly sceptical of the Prime Minister's statement that our tribes are looking to the Afghan Government for a lead. Our own information is that the tribes, at present, are indifferent to Afghan interest in the problem of their future and intend to rely on themselves when it comes to determining the question of their association with an independent Indian Government. This question, as

the Afghan Government are doubtless aware, is one for negotiation between the tribes and the Constituent Assembly and Pandit Nehru has made it amply clear in his public declarations that there is no intention whatever of depriving the tribes of their existing freedom or of attempting to impose any scheme on them against their will. Afghan anxiety is therefore misplaced and the Prime Minister need have no apprehension that tribal sentiment and wishes will be ignored.

[Paras 4 & 5 omitted]

¹Gerald Charles Lawrence Crichton, Officiating Secretary, External Affairs Department, Government of India.

²No. 213, TP, X, 412-3.

³Appendix IV, 1.

⁴A. D. F. Dundas, comp., *Precis on Afghan Affairs, Vol. II (from the middle of 1927 to the end of 1936)*, Government of India, Foreign and Political Department, New Delhi, 1938.

⁵Not available in QAP. See JOR, L/P & S/12/1811.

IV. 3

Giles Squire to the Earl of Listowel

Telegram, L/P&S/12/1811¹

No. 47

[BRITISH LEGATION], KABUL,

11 June 1947, 10 am

Received: 11 June, 1.30 pm

Leading article in Afghan Press of June 9th² and broadcast same evening expresses deep disappointment that Afghans living between the Durand Line and River Indus have not like other elements in India been given specific option to choose independence. Subsequent article in newspaper *Anis* suggests reference to U.N.O. if no satisfaction is received from H.M.G.

2. Afghan Foreign Minister sent for me this morning to express same opinion. He said that his government after all the discussions on this problem during the last three years³ had at least expected an answer from His Majesty's Government and asked whether I could give one now as Afghan feeling was very strong.

3. I endeavoured to explain that Pathanistan kite had recently been flown in Peshawar but had fallen badly. He was not satisfied. I explained that tribes in independent territory had already been assured that they were entirely free to negotiate a new agreement with India and that presumably this freedom included freedom not repeat not to negotiate.

4. As regards settled districts I said that proposed referendum would

only decide which Constituent Assembly Province wished to join. I did not think that Province could be prevented from demanding complete independence in Constituent Assembly if they wished to do so.

5. Ali Muhammad replied that if Afghan Government could announce that Province would not be coerced into joining either Pakistan or Hindustan against its will their critics would be completely satisfied.

6. Grateful for instructions as to reply I should give. Perhaps I could at least say that His Majesty's Government will not use compulsion.

Copy by post to North-West Frontier Province. Squire 47.

Repeated to Government of India, External Affairs and Commonwealth Relations Department.

¹No. 140, TP, XI, 262-3.

²Not available in QAP. See IOR, L/P & S/12/1811.

³See Appendix IV. 1 and IV. 2. Also see IOR, L/P & S/12/1811.

IV. 4

Louis Mountbatten to J. B. Kripalani

R/3/1/151¹

SECRET

No. 1446/3

NEW DELHI,

17 June 1947

Dear Mr Kripalani,

Thank you for your letter of yesterday² about the Referendum in the Frontier. I think you and your colleagues fully understand my point of view, and the point of view of H.M.G. I realise the great difficulties of the Frontier situation,³ but it is not feasible to alter the terms of the Referendum⁴ as laid down in the statement of the 3rd June.⁵

Yours sincerely,

MOUNTBATTEN OF BURMA

PS. I had already drafted a letter to Pandit Nehru dealing with one aspect of your letter, and have now redrafted it,⁶ so perhaps you would be good enough to talk this over with him.

M[OUNTBATTEN] OF B[URMA]

¹No. 236, TP, XI, 459.

²Dated 17 June; see Appendix V. 9, Vol. II, 865-7.

³See Appendix IV, 5.

⁴Kripalani had earlier demanded that the Referendum in NWFP provide also for independence of that province. See Appendix III. 1, para 12, Vol. II, 832.

⁵No. 1, para 11, *ibid.*, 3.

⁶See Appendix V. 10, *ibid.*, 867-8.

IV. 5

The Earl of Listowel to Giles Squire

Telegram, L/P&S/12/1811¹

IMPORTANT/CONFIDENTIAL
No. 52

INDIA OFFICE,
20 June 1947, 1 am

My telegram No. 51 of June 16:² Afghan representation concerning the future of the North-West Frontier Province.

Following is gist of Afghan note dated June 13th. Copies follow by bag.

2. Note refers to your discussions with Afghan Foreign Minister over the period 1944 to 1946 concerning frontier questions (please see correspondence ending with your demi-official letter to Weightman No. F. 706/44 of March 15th 1946).³ Afghan Minister also refers to a subsequent exchange of notes with the Foreign Office, in which H.M.G. were invited to study questions which had been raised in Kabul. He expresses his Government's regret at the reply received from the Foreign Office, which was to the effect that these questions would have to be studied in full consultation with the Government of India and that it was not opportune at that time to embark on such consultation.

3. The Afghan Minister has been instructed to draw the particular attention of H.M.G. to the question of the North-West Frontier Province. This is described as lying between Afghanistan and India proper; it is said to be a land which has for centuries been principally inhabited by Afghans and to have been annexed by Great Britain to India during the Anglo-Afghan wars⁴ of last century. The annexation of this Afghan territory is described as an arbitrary dismemberment of Afghanistan, and the connexion between the Afghans and the North-West Frontier Province and the people of India can never be considered anything but an artificial one. The Afghan Government has consistently made it clear over the last ten years that in the event of any change in India the future of the millions of Afghans and their lands must not be neglected. In view moreover of the change in the status of India the obligations created by the Anglo-Afghan treaties in respect of these territories will in future no longer be regarded as binding.

4. The Afghan Government consider that as the future of India is now being settled it is opportune to consider the problem of the future of the North-West Frontier Province, and its population. They do not

think that this matter should depend on the future Government or Governments of India. Note goes on to say that the Afghan Government consider that the referendum which is being arranged for the North-West Frontier Province is not compatible with justice, as it debars the Province from choosing either to form a separate free State or to rejoin its motherland Afghanistan.

5. In conclusion the Afghan Minister asks for an early reply and states that the Afghan Government cannot be indifferent to any decision which is contrary to justice and to the freedom of the Afghans of the North-West Frontier Province and that they will be obliged to consider the interests of this large Afghan community.

6. The terms of the note will require further study here before a reply can be returned. H.M.G. would in the meantime be grateful for any comments which you or the Government of India may have, in particular as to an assurance being given on the lines of Ali Muhammad's suggestion in para 5 of Katodon 47.⁵

Repeated to Government of India, External Affairs and Commonwealth Relations Dept.

¹No. 272, TP, XI, 526-7.

²Appendix V, 8, Vol. II, 864-5.

³Not available in QAP. See IOR. L/P&S/12/1811.

⁴First Anglo-Afghan War, 1838-42, and the Second, 1878-81.

⁵Appendix IV, 3.

IV. 6

The Earl of Listowel to Louis Mountbatten

Telegram, L/P&S/12/4638¹

IMMEDIATE

[No.] 8122

INDIA OFFICE,

24 June 1947, 6.25 pm

Received: 25 June, 6.30 am

I have already replied in my telegram No. 7893² on question of international status of new India. Further question remains as to assumption by Indian Dominions of international obligations (a) which were concluded expressly on behalf of present India and (b) which were concluded in the name of H.M. or H.M.G. but which are applicable to India.

2. I agree with statement of legal position in paragraph 6(b) of your

telegram No. 1439-S³ to the extent that if Hindustan continues international personality of present India, she will *prima facie* inherit all India's existing international Treaty obligations, i.e. both (a) and (b) above. But it is clear that she cannot be bound in international law by those obligations which by their nature can only be carried out in territory not belonging to Hindustan or under her control. Some obligations (for instance those relating to frontiers) run with the land and consequently pass to the future sovereign of the land whoever he may be. There are also others which can only be performed in the future Pakistan and as to which it is perhaps more open to question whether they pass to the successor by automatic operation of law. Former obligations must clearly pass to whatever successor authority (Pakistan or a non-acceding State) becomes responsible for the territory concerned, and latter should also pass.

3. Foreign Office advise,⁴ however, that H.M.G. in the U.K. (who will in the eyes of foreign governments have brought about the change) will still not be relieved of their political (repeat political) duty towards those Governments to see⁵ that the Treaty position of the new Dominions (which will remain within the Commonwealth at least for a time) is satisfactorily regularised. Foreign Office point out that, when senior Dominions became international persons, they and all parties concerned apparently accepted without question position not only that Dominions inherited all Treaty rights and obligations which had any local or territorial application to them, but also claimed the benefits and accepted the obligations of Treaties whose provisions applied territorially to the whole Commonwealth and Empire and from which all repeat all British subjects benefited in foreign countries. I should not expect that Government of India would dissent from the view that both new Dominions will similarly inherit Treaty rights and obligations which have local and territorial application to them respectively but I should be glad if you could obtain confirmation that this will be the position.

4. The question arises particularly in connection with Treaties in category (b) of paragraph 1, i.e. those concluded in the name of the Crown or of the U.K. Government most of whose stipulations can only be fulfilled in India or can only be wholly fulfilled if successor authorities observe them. (Examples are Anglo-Afghan Treaty, 1921; Anglo-Tibetan Convention, 1914; Anglo-Nepali Treaty, 1923).

5. Assuming that no question could arise as to category (a) with a united India we had in mind at one stage attempting to provide for acceptance by the new Indian authorities of obligations in category (b) by including clause in projected Treaty relating to matters arising out of transfer of power.⁶ We had intended to seek agreement to the effect that "all obligations and responsibilities heretofore devolving on H.M. or on U.K. Government which arise from any international instrument

applicable to India shall henceforth, insofar as their application to India is concerned, devolve on India alone". There would have been corresponding provision for transfer to successor authorities of reciprocal rights and advantages associated with obligations.

6. Now, however, that we cannot hope to negotiate any Treaty with the new Indian authorities before the introduction of legislation, only alternative is to try to secure some assurance from the existing Interim Government on behalf of both the future Dominions in the sense desired.

7. I should be grateful for your views whether an assurance of this kind would be likely to be forthcoming and, if so, whether there is any possibility of securing it in such a form as to ensure its being implemented by the two new Governments when set up.

¹No. 333, *TP*, XI, 610-11.

²The Earl of Listowel in his telegram communicated India and Burma Committee's decision that HMG should accept that Hindustan would continue existing India's international personality, subject to equitable division of central assets. See No. 270, *TP*, XI, 523.

³Mountbatten advised that HMG should take the view that India minus Pakistan inherits international entity and obligations of present Govt. of India and that agreement should be reached between the two new Governments regarding division of assets, etc. See No. 202, *ibid.*, 394-5.

⁴Bevin requested the Earl of Listowel for a reconsideration of the decision not to include in the treaty with India any provision regarding the future observance by India of certain treaties concluded in the name of the Crown or the UK Govt. See No. 52, *TP*, XI, 103-4. Listowel in his memorandum on the assumption of international obligations by the successor authorities supported Bevin's request. See No. 192, *ibid.*, 375-6. Listowel also suggested that an assurance on this point be obtained from the Interim Government on behalf of both future Dominions. See No. 244, minute 3, *ibid.*, 481.

⁵"to see" deciphered as "even in".

⁶In his letter of 14 October 1946, William Croft had asked Heads of Departments at the India Office to review matters proposed to be included in the projected Treaty between the British Government and the successor Government in India to provide for certain matters arising out of the transfer of power. See No. 447, *TP*, VIII, 715-20.

IV. 7

Olaf Caroe to Louis Mountbatten

Telegram,¹ Mountbatten Papers

IMMEDIATE/SECRET

25 June 1947, 11.50 am

No. CA/126

Received: 25 June, 5 pm

Kabul telegram No. 51 of June 23rd.²

2. I am unaware of reactions of Foreign Office or of Government of India to this Afghan incursion into Frontier affairs. But Your Excellency should know that there is reason to conclude that this move was to some extent inspired by Frontier Congress leaders with certain

Afghan elements and considered when Abdul Ghaffar Khan visited Kabul for Qashan³ last summer. Moreover [the] fact that Gandhi is wedded to Pathanistan idea will make it difficult for E.A. Dept at present juncture to approach this issue objectively.

3. On merits arrival of official Afghan Mission to interfere in crucial Indian constitutional and political issue seems to me more than objectionable particularly during the referendum period.

4. Disturbing effect on tribes must also be borne in mind. In no case as I see it could Mission be given access to our tribal territory or Frontier States.

5. Lockhart has seen and fully agrees.

¹No. 342, *TP*, XI, 633.

²No. 221, Vol. II, 431-2.

³A small town in the USSR just north of the Afghan border.

IV. 8

Government of India, External Affairs and Commonwealth Relations Department, to the Earl of Listowel

L/P&S/12/1811¹

MOST IMMEDIATE/TOP SECRET
[No.] 5078

NEW DELHI,
30 June 1947, 5.15 pm
Received: 30 June, 7 pm

Katodon telegrams Nos. 51 and 52.² (both received here on night of June 28th).

2. In our telegram No. 5047 dated June 29th³ we reaffirmed the view expressed on behalf of H.M.G. with the full concurrence of the Government of India during the 1944-46 conversations with the Afghan Government that the territory between the Durand Line and the Indus is solely India's concern. The historical grounds on which Kabul now claims a special interest in them would if pushed back far enough chronologically justify India's claiming Afghanistan. Such arguments from whichever side they may be pressed only lead to a *reductio ad absurdum*. We have to deal with things as they are not as they were in some less or more distant past. The Afghan proposal to send a Mission now to discuss the frontier question with us is as much an attempt to interfere in what is an internal affair of India as other proposals designed to claim a voice in settlement of this question and we cannot repeat cannot accept it.

We have always recognised that both India and Afghanistan are

interested in the welfare and development of the tribes inhabiting their respective zones of tribal territory. The appropriate time for discussing these common problems will be after the new Governments of India and Pakistan come into being; it is not now.

3. As regards the first alternative mentioned in para No. 1 of Katodon telegram No. 52 "independence" in the sense of freedom to people of the territory in question to join (? Afghanistan) or to separate from both the Dominions of India and of Pakistan cannot be conceded. The fact that what is now India is soon to be succeeded by two sovereign Federal States cannot affect the strategic importance of the territory in question to these two States. Changes in the political status of India cannot alter geographical factors that govern her security. A small independent State like the North-West Frontier Province cannot (? possibly) safeguard its own security and therefore must be a source of weakness to India. It can legitimately claim to exercise the fullest autonomy within the framework of one of the two Federal Dominions which will replace the present Government of India. This measure of self determination the plan of 3rd June¹ does not exclude.

4. We desire nothing but friendship with Afghanistan; the help that, in recent years, Government of India have given to the Afghan Government is proof of the sincerity and measure of that desire. It can be confidently stated that successors of the present Government will be equally anxious to maintain and promote amicable neighbourly relations with Afghanistan. But neither the present Government nor its successors can afford to surrender any vital interest or right. It is to be hoped that the Afghan Government will be persuaded that, in being firm, we are not being unfriendly, and that, at this juncture in her history, India is more entitled to expect Afghan goodwill than Afghan intervention in her internal affairs.

5. Of the four possibilities mentioned by the Minister, we do not know which will materialise if the Afghan Government are not satisfied with our answer. We can only express the hope that in their interest even more than in ours, (? they will) desist from any course which may disturb the peace of the border. Once more we would urge the desirability of asking a friendly third party such as the U.S.A. to put in a word of caution which may serve to deflect the Afghan Government from the path of rash adventure.

Repeated to Chief Sec. to Govt. of the N.W.F.P. and H.M. Minister, Kabul (No. 150) and copies by post to Baluchistan and U.K. High Commissioner.

¹No. 431, *TP*, XI, 799-800.

²Nos. 221 and 288, Vol. II, 431-2 and 554, respectively.

³No. 310, *ibid.*, 587-89.

⁴No. 1, *ibid.*, 1-6.

IV. 9

Secretary of State to British Minister at Kabul

Telegram, L/P&S/12/1811¹

IMMEDIATE
No. 56

INDIA OFFICE,
1 July 1947, 11.15 pm

Correspondence ending with G[overnment] of I[ndia] telegram 30th June 5078.² Future of North-West Frontier Province.

2. Subject to views of Government of India, H.M.G. are disposed to return reply to Afghan Minister's Note (Forminka 52)³ to following effect on their own behalf, and trust that Government of India will agree to reply in similar terms being returned to Afghan Foreign Minister in Kabul as representing views of both Governments. H.M.G. are anxious, if possible, to make this reply before referendum in North-West Frontier Province begins on 6th July. The matter is therefore very urgent.

3. (a) H.M.G. have given full and sympathetic consideration to the representations made by the Afghan Minister. They are bound to point out, however, that these representations relate to an area which forms an integral part of India and is recognised as such by the Afghan Government in the Anglo-Afghan Treaty of 1921.

(b) The statement of policy in regard to India made by H.M.G. on 3rd June was issued with the assent of the leaders of the principal political parties in India and has since been endorsed by responsible Indian opinion. This declaration sets out the procedure which it has been decided after full consultation with all interests concerned to adopt in order to bring about the transfer of power in India in orderly fashion from British to Indian hands and to fulfil H.M.G.'s pledges to the Indian people.

(c) While therefore H.M.G. readily appreciate the friendly interest which the Afghan Government naturally feel in the future constitutional structure of the territories on their southern frontier and the feelings of kinship arising from ties of blood and religious affinity which the Afghan people share with many of the inhabitants of those territories, they cannot admit the right of any foreign government to intervene in matters which are the sole concern of the inhabitants of the territories in question.

(d) Indeed H.M.G. would regard as incompatible with the undertakings exchanged by the British and Afghan Governments in Article I

of the Treaty of 1921 (by which they mutually "certify and respect each with regard to the other all rights of internal and external independence") any attempt by the Afghan Government to intervene in the internal affairs of any territory situated on the Indian side of the Anglo-Afghan frontier mutually accepted by the two contracting parties in Article II of the Treaty and as defined in the map attached thereto.

4. As regards the specific enquiries which the Afghan Foreign Minister has made in Kabul, H.M.G. suggest that, if the Government of India agree, you should explain, on behalf of both governments, that the arrangements contemplated in the statement of 3rd June are there expressed in general terms and will require to be elaborated in due course by further announcements which will be made from time to time by the Governor-General. You might add statement on the lines of para 4 of G. of I. telegram 5047⁴ coupled with the warnings as to future consequences contained in last three sentences of para 5 of that telegram.

5. H.M.G. would appreciate an urgent expression of the Government of India's views on above suggestions. They are themselves considering urgently valuable suggestion that U.S. Government might be asked to put in word of caution.⁵

Repeated to Government of India, External Affairs and Commonwealth Relations Department, No. 8419.

¹No. 453, TP, XI, 820-1.

²Appendix IV. 8.

³Appendix IV. 5.

⁴No. 310, Vol. II, 587-9.

⁵Appendix IV. 8, para 5.

IV. 10

GHAFFAR REITERATES HIS DEMAND FOR FREE PATHANISTAN¹

PESHAWAR, June 28: "We have decided to establish Pathanistan which will be an independent State of all Pathans. There will be no King, and the land will be ruled by the entire Pathan nation jointly," said Khan Abdul Ghaffar Khan, addressing a public meeting last night at the village Parang near Charsadda.

Khan Abdul Ghaffar Khan said: "It is wrong to say that we did not raise the question of a free Pathan State in the existing Constituent Assembly. But actually under a weak Centre as it is, our Province was

to be internally absolutely independent and had also the right to secede if members of the Provincial Legislative Assembly elected under the new constitution, did not approve that constitution and decided to opt out. Keeping in view the same internal freedom and the right to secede for NWFP, I started negotiations with the Muslim League. I asked Mr. M. A. Jinnah either to allow NWFP to declare its independence on the condition that we will join the new State of Pakistan if its constitution was to our liking. Failing that, we even agree[d] to sit in the Pakistan Constituent Assembly, but if we found that the new constitution was not in our favour, we should have the right to opt out."²

"For this independence of the Pathans, we sided with the Congress and fought our common enemy jointly. We were then called as Hindus and Hindu agents, but now when we have refused to join Hindustan we are forced to fight referendum on the issue of Pakistan versus Hindustan."

"My main object is," said Khan Abdul Ghaffar Khan,³ "to make Pathans free from any dominion and I doubt if any other Pathan does not want it. After that we can keep brotherly relations with the other Muslim countries. Have not Afghanistan, Iran, Iraq, Arabia and Egypt their own separate Governments? Are they not all Muslims? But even according to the very principles of Islam, 'charity begins at home.' Will it not be dishonesty on my part to throw my Pathan brethren into the dark unknown future."

"But if you want to achieve your goal," added Khan Abdul Ghaffar Khan, "let us all organise ourselves and work under the discipline. This is how we can make or mar our future. Not only we, but the entire world is expecting dreadful and terrible future. Seeds of third war have already been sown. Every country is trying to keep that war away from her home. For that emergency the British want to make NWFP as military base against Russia. In this connection, the arrival of Gen[eral] Montgomery in India and his meetings⁴ with Mr. M. A. Jinnah are significant."—API.

¹The *Pakistan Times*, 1 July 1947.

²See No. 163, Vol. II, 339-40.

³See Annex III to No. 299, *ibid.*, 567-9.

⁴See Appendices IX. 6 and X. 3, para 42, *ibid.*, 924-5, 955-6, respectively.

*Annex I to IV. 10**Henry Grady to George Marshall**Telegram, U.S. National Archives, 845.00/6-2647*RESTRICTED
No. 445[AMERICAN EMBASSY], NEW DELHI,
26 June 1947, 10 am

Khan Abdul Ghaffar Khan has announced boycott of proposed referendum¹ in NWFP by his Red Shirts. His refusal based on grounds referendum does not give Pathans opportunity to vote for a free Pathan State. Statement accuses Muslim League of atrocities.

His action will complicate situation NWFP and probably lead to further disturbances.

Gandhi's support of Khan Abdul Ghaffar Khan, which is not shared by other members government, is believed to be repayment old political debt. Despatch follows. See airgram A-130, June 23.²

[GRADY]

¹See Annex III to No. 299, Vol. II, 567-9.²Annex I to Appendix IV, 12.*Annex II to IV. 10*FRONTIER BOYCOTT¹

Khan Abdul Ghaffar Khan's long statement announcing his Party's decision to boycott next month's referendum in the NWFP was persuasively phrased. Yet it can hardly, we think, dispel the suspicion—swift of growth in recent weeks—that Frontier Congressmen who confidently reiterated that Pakistan for Pathans had been killed utterly by the Provincial elections of 1946 are afraid to meet its ghost. Their new policy, despite explanations, looks like an attempt to circumvent defeat in a straight political contest. Nor can it be regarded simply as a provincial affair; it carries grave all-India implications. It is the first breach in the Mountbatten Plan, the initial stages of which through inter-party agreement have been surmounted with such reassuring smoothness elsewhere, including the turbulent Punjab and restive Bengal.

To that plan the Congress was pledged by Pandit Nehru and the AICC. They did not overlook the difficulties and sacrifices of Frontier Congressmen, but the lesser evil was accepted for the greater good. The Frontier Gandhi's boycott then suggests one of two unpleasant things; either the Congress High Command during the recent New Delhi confabulations possessed insufficient authority to get its decision accepted

by its Pathan followers; or else it abstained from exercising that authority to the extent which its June 3 commitments morally required. Perhaps, however, Mahatma Gandhi, operating to some extent independently, has been a complicating factor. This seems a reasonable deduction from recent comings and goings in the Capital. It was he, not Pandit Nehru, who intervened with the Viceroy on the NWFP problem; it was he again who sought a compromise with Mr. Jinnah. Conscious, perhaps, of awkward divergence from the official Congress line, he pleaded a point that has the support of all men of goodwill and was, indeed, pleaded with fervour in some special articles which we lately published—the need to avoid bloodshed in a land already dangerously bristling with arms, to prevent fratricidal strife between Pathan and Pathan. But his advocacy of Pathanistan, with its “Balkanizing” implications, has involved him in some logical difficulty because of his simultaneous strong denunciation of independence for the State of Travancore.

Of the possible consequences of boycotting the referendum, Khan Abdul Ghaffar Khan and his colleagues cannot be unaware. Under the June 3 Plan it was to be the linchpin of all future constitutional change in the Province. Refusal to participate thus looks like an attempt to disintegrate the procedure before it has even begun. Some may think that the late Governor’s decision to relinquish office deserved more magnanimous response; the whole project of an independent sovereign Pathanistan, after all, is only a few weeks old. The Muslim League leader in the NWFP, in his criticism last Thursday of Khan Abdul Ghaffar Khan’s statement, argued the second item in cogent terms. Non-co-operation with the Mountbatten Plan because of this side-issue may, we fear, result in widespread further tensions and bickerings in a part of the country where risks of trouble are in any case exceptional. That the difficult processes of the referendum should be followed, not long after, by a general election might cause grave disorder, even chaos. Yet if the votes recorded next month result in the Province joining Pakistan—as now seems inevitable—it is not easy to see how a Ministry which has always opposed and derided Pakistan could remain in office.²

¹Editorial, *The Statesman*, 28 June 1947.

²For Jinnah’s comments on Abdul Ghaffar Khan’s statement, see No. 299, Vol. II, 563-6. Also see Annex II to Appendix IV. 13.

Annex III to IV. 10

Howard Donovan to George Marshall
U.S. National Archives, 845.00/6-2647

RESTRICTED

AMERICAN EMBASSY, NEW DELHI,

No. 4

26 June 1947

Subject: Decision of Khan Abdul Ghaffar Khan and his Red Shirts not to participate in North-West Frontier Province Referendum

Sir,

I have the honor to refer to the Embassy's telegram No. 445 of June 26, 1947¹ and to airgram No. A-130 of June 23² and to enclose the text of a statement³ issued by Khan Abdul Ghaffar Khan, Congress Leader of the North-West Frontier Province, regarding the decision of the Red Shirts to boycott the referendum to be held in N.W.F.P. from July 6 to 17. Observers in Delhi believe that the Muslim League will win in the forthcoming referendum and that it is a foregone conclusion that the N.W.F.P. will join Pakistan. This is unpalatable to Khan Abdul Ghaffar Khan and his recent talks with Jinnah⁴ and Gandhi in Delhi were an effort to forestall the N.W.F.P. joining Pakistan. Gandhi has supported Khan Abdul Ghaffar Khan because of his outstanding services to the Congress Party in the N.W.F.P. However, Nehru⁵, Patel, and other Congress members of the Government are understood to be opposed to the idea of "Pathanistan". It is of course ridiculous for the Congress to oppose the independence of Travancore and at the same time espouse the cause of independence for the North-West Frontier Province.

Khan Abdul Ghaffar Khan's statement refers to the struggle of the Pathans against British rule, the help given the Pathans by Congress, and accuses the Muslim League of aiding the British against the Pathans. He states that the Pathans want complete freedom and accuses the Muslim League of the "murder of hundreds of innocent men, women and children". Khan Abdul Ghaffar Khan's action will further complicate the situation in the North-West Frontier Province and it will in all probability lead to further strife and bloodshed.

Respectfully yours,
 HOWARD DONOVAN
Counselor of Embassy
for the Ambassador

¹Annex I to Appendix IV. 10.

²Annex I to Appendix IV. 12.

³See Annex III to No. 299, Vol. II, 567-9.

⁴See Annex to No. 163, *ibid.*, 339-40.

⁵See Appendix IV. 17.

Annex IV to IV. 10
Henry Grady to George Marshall

Telegram, U.S. National Archives, 845.00/7-2247

CONFIDENTIAL
 No. 555

AMERICAN EMBASSY, NEW DELHI,
 22 July 1947, 11 am
Received: 1.55 pm

My desp[atch] No. 4,¹ June 26, re[garding] decision Khan Abdul Ghaffar Khan Red Shirts to boycott NWFP referendum should be read connection Deptel 412, July 17.²

I consider it inadvisable at this time suggest to GOI [Government of India] that Jinnah and Khan endeavour to come to agreement as recent conversations³ between the two at Delhi were total failure. Gandhi is largely responsible as Khan Brothers' attitude is due entirely to Gandhi's public endorsement Pathanistan; without Gandhi's support movement would probably collapse. In view of League's clear-cut victory recent referendum⁴ Jinnah can scarcely be expected to be interested⁵ in negotiations with Khan Abdul Ghaffar Khan.

I shall keep matter in mind and if at later date favourable occasion arises I shall mention it informally to GOI. Crichton of EAD [External Affairs Department] says Khan Abdul Ghaffar Khan has [illegible] little influence with tribes.⁶

Sent Dept., repeated Kabul, Dept. please repeat London.

GRADY

Note. Repeated to London, 7/21/49, 4.20 pm.

¹Annex III to Appendix IV. 10.

²Not available in QAP.

³See Annex to No. 163, Vol. II, 339-40.

⁴See No. 201.

⁵See No. 239.

⁶For the measure of support enjoyed by the ML in Tribal Areas, see No. 175, Vol. I, Part I, 345-6.

Annex V to IV. 10

GHAFFAR'S DREAM IS TO RULE OVER PATHANS,

SAYS AURANGZEB¹

DERA ISMAIL KHAN, July 3: Sardar Aurangzeb Khan, ex-Premier of the NWFP, who has been working here organizing the referendum campaign, in an interview on Khan Abdul Ghaffar Khan's statement of June 28,² says:

The gist of the statement can be thus summarised that Khan Abdul Ghaffar Khan says that he wants to establish Pathanistan, an independent state of all Pathans. There will be no king and the land will be ruled by the

entire Pathan nation jointly.

It will become the self-styled Badshah Khan who calls his village garden Shahi Bagh to say that there will be no king [sic]. His very denial betrays his cherished dream and life long ambition of kingship.

His statement that the land will be ruled jointly most probably means such a joint rule of Pathans as his present family Ministry is. It is a brother Premier, a son-in-law and his son's father-in-law Ministers, plus *Pathan-i-Azam* Mehr Chand Khanna [sic]!

Of [sic] his statement wherein he brazenly insinuates [sic] against the Quaid-i-Azam saying that the arrival of General Montgomery in India and his meetings³ with Mr. Jinnah are significant. Are not the meetings of P[and]t Nehru and Sardar Baldev Singh with General Montgomery equally significant? Two Indias are adjusting their relations with Great Britain about Quit India arrangements and meetings must take place. But for Khan Abdul Ghaffar Khan any stick is big enough to strike [sic].

Of [sic] Muslim India he is blind to the fact that his original (Mr. Gandhi) and the Congress are accepting even British Dominion status for India and his Congress is contemplating the retention of Sir Claude Auchinleck for some years more.⁴ He also conveniently forgets his own two-page fulsome praise of Sir Olaf Caroe in his paper *Pukhtoon* [at] the time of his appointment as Governor.

The Muslim India wonders why he is anxious to qualify himself to stand in line with Mir Jaffars and Sadiqs. The fact of the matter is that Abdul Ghaffar Khan does not see a beam in his own eye because his sole aim is rather [sic for neither] Pathanistan nor independent state of all Pathans, but Ghaffaristan and himself to be the real Badshah Khan.

According to the Mountbatten Plan six provinces are to go for [sic for to] Hindustan and five and a half Muslim provinces to Pakistan. Bombay does not object to domination by the U.P. as there is not [sic] in fact but the plan means the federation for beneficent purposes, otherwise provincial units would be completely sovereign and autonomous [sic]. Two sovereign Hindu and Muslim States are envisaged in the plan but he finds Ghaffaristan uncalled for [sic]. He should take note that the Pathans are Muslims first and Pathans afterwards. They will stand in the Muslim group in spite of his sentimental chicogery [sic for chicanery]. Frontier Pathans will not give up their Muslim federation and Islamic solidarity for his sentimental mess of potterge [sic for pottage]. His game is [sic] up by the July 15, *Insha 'Allah*. He will meet his Waterloo in the referendum. He should beware [sic] the ideas of March or July instead Pakistan Zindabad [sic].

³The *Pakistan Times*, 6 July 1947.

²Annex III to No. 299, Vol. II, 567-9.

³See Appendix IX.6, *ibid.*, 924-5.

⁴See Appendix X.3, para 43, *ibid.*, 956.

IV. 11

FRONTIER IS AFGHAN TERRITORY, SAYS KABUL PAPER¹

PESHAWAR, June 30: The idea of an independent Afghan State between the Punjab and Afghanistan is supported by the Kabul newspaper, *Islah*, the semi-official organ of the Afghan Government.

The *Islah* editorially writes: "If this State is established, Afghanistan will be the first to recognise it and will expect the same from both Pakistan and Hindustan."

The paper criticises the HMG Plan of June 3 for "denying the people of the North-West Frontier Province the right to declare their independence and for restricting the scope of the referendum only to a choice between Hindustan or Pakistan," and asks "why is the British Government separating a strip of Afghan territory from the bloc called Tribal Territory, which preserved its influence through the sacrifices of her sons?"

Islah continues: "Like their independent brethren of the Tribal Territory, the Afghans in the North-West Frontier Province should have been allowed without any restriction or reservation to determine their future. There is no reason for barring them from deciding their future by making them a part of India. It is just possible that they may decide to group with the rest of their Afghan brethren or establish a separate independent State of their own. Although the said territory was detached from Afghanistan, she has no intention of expansion by demanding its retrocession. But Afghan nationals will never sit quiet in the event of transborder Afghans (whether of the Tribal Territory or the settled districts) being denied the right of self-determination. To-day when the government, which was the cause of their separation, is withdrawing and the Indians are receiving their due rights, there is no reason why these Afghans should be forced to live under the domination of Indians of Pakistan or Hindustan as slaves. Similarly there is no logic in their being divided by the British into Tribal and non-Tribal groups," the paper concludes.—API.

¹The *Pakistan Times*, 2 July 1947.

IV. 12

GANDHI STILL DEFENDS GHAFAR KHAN¹

NEW DELHI, [June] 30: Mr. Gandhi in his after-prayer speech this evening referred to the allegation that the Frontier Congress Leader, Khan Abdul Ghaffar Khan, was playing into the hands of Afghanistan and said he considered Badshah Khan "incapable" of any underhand dealing. The Frontier Leader would not allow the Frontier to be absorbed by Afghanistan.

The question of referendum in the Frontier Province just now looms large in the public eye, because it has been and is still officially a Congress Province. Badshah Khan and his co-workers do not relish being asked to choose between Hindustan or Pakistan.

"The charge of the new cry of Pathanistan is being flung in Badshah Khan's face. He does not want to create an additional State. If he can frame his own local constitution he will gladly make his choice of the one State or the other. It is difficult for me to understand the objection to this yearning after Pathan autonomy unless the object is to humiliate the Pathans and to take them into subjection.

"The more serious charge is that the Badshah is playing into the hands of Afghanistan. I consider him to be incapable of any underhand dealing. He would not allow the Frontier Province to be absorbed by Afghanistan.

"As his friend and because I am his friend I must admit one failing of his. He is highly suspicious especially of British professions and intentions. I would urge on all to overlook this failing which is by no means peculiar to him. Only it does not sit well on a leader of his eminence. I contend that though I have called it a failing and which it is in one way, in another it is to be regarded as a virtue in that he cannot, even if he tries, conceal his thoughts. He is too honest to hide them."—A.P.I.

¹The *Pakistan Times*, 2 July 1947.

Annex I to IV. 12

Howard Donovan to George Marshall
U.S. National Archives, 845.00/6-2347

RESTRICTED
 No. A-130

AMERICAN EMBASSY, NEW DELHI,
 23 June 1947

Received: 9 July, 2.00 pm

Gandhi's recent statement¹ that it was right and proper that the

Pathans should have their own state, "Pathanistan", is understood to be Gandhi's own idea² and not that of the other [sic] Congress Ministers, including Nehru and Patel. It is the opinion in Delhi that the North-West Frontier Province will go solidly for Pakistan and that Gandhi's statement is a last desperate effort to save the situation and at the same time to help out his friend Khan Abdul Ghaffar Khan who was in Delhi recently for talks with Jinnah. The North-West Frontier Province is one of the deficit provinces³ and some observers think that the Congress would be well advised to let the province go to Pakistan without a struggle since it has in the past had to be subsidized to the extent of Rs. 20 million per annum. If the N.W.F.P. goes to Pakistan the Dominion of Pakistan must carry this financial burden.

It is also considered poor politics on Gandhi's part to espouse the cause of "Pathanistan" since the Congress is at the same time denying the right of independence to Travancore and Hyderabad. Foregoing represents opinion of AP and UP correspondents at New Delhi.

DONOVAN

¹Not available in QAP.

²See Appendix IV, 17 and Annex to Annex III to No. 299, Vol. II, 570.

³See Enclosure 1 to No. 117, Vol. II, 253-60.

Annex II to IV. 12

Henry Grady to George Marshall

Telegram, U.S. National Archives, 845.00/7-147

SECRET
No. 465

AMERICAN EMBASSY,
NEW DELHI,
1 July 1947, 10 am

Recei[ve]d: 1 July 1947, 6.51 pm

One. Jinnah's charge in June 28 statement¹ that Frontier Congress resolution² demanding free Pathan State is "direct breach" of Congress acceptance His Majesty's Government's June 3 Plan seems fully justified. Frontier Congress resolution favoured establishment of a "Free Pathan State of all Pakhtoons; constitution based on Islamic conceptions of democracy; and refusal by all Pathans to submit to any non-Pakhtoon domination". Jinnah pointed out Gandhi speaking at AICC meeting³ urged acceptance June third plan which provided for referendum to decide whether Frontier should join Hindustan or Pakistan; Frontier Congress was bound to honor agreement. Gandhi, however, has encouraged Khan Brothers "to sabotage" plan and sudden volte-face is "pure political chicanery", Jinnah said only constitution which Pakistan

CA [Constituent Assembly] could frame would provide for "autonomous unit" but Khan Brothers have made false charge that Pakistan CA would "disregard fundamental principles of *Shari'at* and Qur'anic laws." Jinnah therefore appealed to NWFP Muslims to vote to join Pakistan CA.

Two. Gandhi's decision to effect boycott of NWFP referendum appears to be deliberate effort to embarrass League regardless of effect on internal and international developments. If Congress Pathans were to succeed in making NWFP independent of Pakistan, situation in this strategic area would obviously become more dangerous than at present *vis-a-vis* rest of India. While Afghan Government must realize it is not in a position to control tribes, it might be tempted to annex tribal territories and NWFP with resulting incursions into neighbouring Indian territory. Therefore while League will obviously win referendum current Congress campaign, based wholly on party considerations with no regard for international angle, could produce conditions in NWFP more precarious than at present. However, Bajpai, Secretary-General, External Affairs, told Hare⁴ June 28 Government of India's policy is not to playoff Afghanistan against Pakistan but to oppose separation of any territory east of Durand Line.

[Para 3 omitted]

Note. Repeated to London, July 2, 3.00 am.

GRADY

¹No. 299, Vol. II, 563-6.

²See Annexes II & IV to No. 299, *ibid.*, 566-7; 570-2, respectively.

³Annex V to No. 299, *ibid.*, 572-3.

⁴Presumably an official of the US Embassy at New Delhi.

Annex III to IV. 12

PATHANS WILL SOLIDLY VOTE FOR PAKISTAN

Ghaffar Can Never Terrorise Muslims—Ghazanfar¹

ABBOTTABAD, July 1: Mr. Ghazanfar Ali Khan and Khan Abdul Qaiyum Khan continued their whirlwind propaganda campaign in Hazara District yesterday. At Mangli, about eight miles from Abbottabad, they were received by hundreds of armed Muslim National Guards, who fired a number of volleys, to welcome them. Despite rain, thousands of people had flocked to listen to the speeches of these two leaders.

Thereafter the party motored down to Havelian where in pouring rain, a very large audience attended the meeting. In the afternoon, they proceeded to Nawansher, where they addressed another crowded meeting.

Mr. Ghazanfar Ali Khan addressing the gathering asked Khan Abdul Ghaffar Khan where was his *Zalme Pakhtoon* when thousands were being butchered in Bihar and Garhmukteshwar. It is a pity, he said, that instead of defending the honour and prestige of Muslims in India, a band of armed men, should have been set up to terrorise his fellow Muslims. But they, he said, will never succeed.

Mr. Ghazanfar Ali said that to evade the consequences of failure at the coming referendum, the Khan Brothers had declared to boycott the referendum, on vague and un-Islamic principles. Even though, the Muslim League was not prepared to reopen the question, yet if the issue be Pathanistan and Pakistan, Pathans would solidly and overwhelmingly vote for Pakistan.

He added that the stunt of Pathanistan was merely meant to disrupt the Muslim solidarity by Khan Brothers at the instance of their Hindu masters.

He said: "Khan Brothers have been declared traitors to the Muslim cause by their own people and it is no use for them now to hoodwink the Pathans anymore. They should come under the banner of the Muslim League and serve as true servants of Islam in Pakistan, the independent Islamic State, wherein there will be no differential treatment between man and man according to Islam."

Mr. Ghazanfar Ali appealed to all the Muslims that the issue was only between Pakistan and Hindustan and they should not be misguided by the stunt of Pathanistan and vote overwhelmingly for Pakistan.

Khan Abdul Qaiyum Khan said that the real object of Khan Abdul Ghaffar was to deceive his people by the cry of Pathanistan and then to sell this Province to the highest bidder which could be none but Hindustan.—OPI.

¹*The Pakistan Times*, 3 July 1947.

Annex IV to IV. 12

GANDHI AND FRONTIER GANDHI'S DEMAND MET BY LEAGUE

*Qaiyum Asks Ghaffar To Clarify His Position*¹

PESHAWAR, July 3: Khan Abdul Qaiyum Khan, Leader of the Opposition in the Frontier Assembly, in a statement today calls upon Khan Abdul Ghaffar Khan to clarify his position regarding his demand for Azad Pathanistan, particularly in view of Mr. Gandhi's elucidation of

the demand at a recent prayer meeting² and Mr. M. A. Jinnah's latest statement³ on the subject.

Mr. Abdul Qaiyum says: "According to Mr. Gandhi Azad Pathanistan means internally autonomous Pathan State which will eventually join either Pakistan or Hindustan. He has clearly stated that by Pathanistan he does not mean a third independent State in India and were it so he had no hesitation in breaking away with the Frontier Gandhi. Our Frontier Gandhi has always accepted Mahatma Gandhi as his political guru.

"In his very exhaustive and illuminating statement of June 28, Quaid-i-Azam says that the Frontier Province will be an autonomous unit and that its people will be their own masters. This statement fully meets the explanation of Mr. Gandhi as well as the Frontier Gandhi's demand. In view of all this it is high time that the Frontier Gandhi should make his position clear before the public." — API.

¹The *Pakistan Times*, 5 July 1947.

²Appendix IV. 12.

³No. 299, Vol. II, 563-6.

Annex V to IV. 12

NWFP MINISTRY SHOULD NOW RESIGN Ghazanfar's Advice to Ghaffar Khan¹

ABBOTTABAD, July 4: "The Congress Ministry in the Frontier Province should resign if it had any sense of political propriety" declared Mr. Ghazanfar Ali Khan, Health Member, Government of India, addressing a large gathering of Pathans at Mansehra.

"The All-India Congress," he said, "has accepted the British Plan of June 3, which limited the choice for the Frontier Province to join either Pakistan or Hindustan. If the present Ministry in the Frontier Province was rebelling against the acceptance of the Plan by the Congress, it should resign forthwith, because it claimed to be holding office as the agent of the All-India Congress."

Analysing Khan Ghaffar Khan's demand of Pathanistan, he asked: "Did it mean freedom to join Afghanistan as Khan Abdul Ghaffar seemed to imply, or did it only mean freedom to join Hindustan on a future date through some backdoor, which is the Gandhian conception of Pathan independence?"

"Advocates of this slogan," he added, "did not know what they really meant. If it only meant provincial autonomy for the Frontier

Province with effective voice in the Muslim Central Government, it was possible only in Pakistan."

Mr. Ghazanfar Ali, it is understood has received instructions from Quaid-i-Azam, to stay on in the Frontier Province and concentrate on the referendum campaign.

¹The *Pakistan Times*, 6 July 1947.

Annex VI to IV. 12

LEAGUE WILL HAVE AN EASY WALK-OVER IN FRONTIER

Begum Shah Nawaz Confident of Victory in Referendum¹

Begum Shah Nawaz, MLA, who accompanied by Begum Fatima and Begum Salma Tasadduq Hussain toured the NWFP, on her return to Lahore on Thursday [3 July] evening, said that the Muslim League would have an easy walk-over in the coming referendum.

Begum Shah Nawaz and the other women leaders from the Punjab toured the Districts of Peshawar, Bannu and Kohat. They were the first Indian women to cross into the tribal territory and to address meetings.

Giving impressions of her tour, Begum Shah Nawaz said: "Everywhere [*sic*] we went, we saw scenes of enthusiasm and rejoicing at the coming into being of the greatest Muslim State into the world. The Pathans, are proud to be the citizens of Pakistan and they assured us that they were prepared to sacrifice their all for the cause of Islam and the Muslim nation."

Begum Shah Nawaz added: "During the tour three things impressed me the most. First and foremost was the remarkable awakening among Muslim women who are determined to contribute their bit towards the establishment of Pakistan. They are working tirelessly and heroically like soldiers. Their political knowledge and power of oratory surprised me. Batches of young girls are touring the remote villages explaining the implications of the coming referendum to Pathan men and women. Secondly, the enthusiasm and patriotism of the tribal people. They assured us of their unstinted support for Pakistan. Thirdly, the wonderful organisation of the Ghazi Pakhtoon, which is the spear-head of youth movement on the Frontier."

LEAGUE WILL SWEEP THE POLLS

Expressing her confidence that the Muslim League would sweep the polls in the Frontier Province, Begum Shah Nawaz said:

"A new spirit seems to have electrified the atmosphere in the Frontier

in favour of the Muslim League. The last bastion of the Khan Brothers, Utmanzai, their home-village, fell to the Muslim League *mujahids* when we held meetings there and exposed the policy of the Khan Brothers who had always stood in the way of the emancipation of the Muslim nation."

Earlier Begum Shah Nawaz, Begum Fatima and Begum Salma Tasadduq Hussain, accompanied by the Khan of Khanmai, Khan Mohammad Azam Khan, visited the Darra Tribal territory. They were received by Nawab Malik Samad Khan and his brother Malik Zahar Ali Khan. The Maliks fired a volley of shots in the air to welcome them.

In a short speech, Begum Shah Nawaz explained the significance of the coming referendum and told the Pathans that this was opportunity for them to become the masters of their own affairs. She added:

"A powerful Muslim State is about to come into existence and you have been given an opportunity. Either to join the great fraternity of Islam or to put the noose of Hindu domination round your necks."

MESSAGE TO QUAID-I-AZAM

Replying on behalf of the Afridis of Darra, Nawab Malik Samad Khan assured Begum Shah Nawaz of their whole-hearted support to the Muslim League. The Nawab added:

"Please convey this message on our behalf to Quaid-i-Azam, Mohammad Ali Jinnah, that we the Afridi tribesmen whole-heartedly support the idea of an independent Pakistan, and that he has our full support in every way. The services of our soldiers and the armament factories in our area are at his disposal and we are ready to shed the last drop of our blood at his call for the Muslim nation and Pakistan."

Malik Hassan Khan, the nephew of the Nawab presented two rifles to the League deputation and requested that one of them be sent to the Quaid-i-Azam.

Begum Shah Nawaz presided at a mass meeting at Kohat without a *burqa*. In a forceful speech, she asked the Pathans to be on their guard against the deceptive and un-Islamic slogans of the Frontier Congress, which is still playing the Hindu game. She asked where was the Congress when the Muslim League fought and got the Pathans a separate autonomous province? What is the Congress share in the fight against the annulment of the Frontier Regulations? The Muslims had the first foretaste of the Congress brand of independence when the purely Congress-ridden Interim Government ordered bombardment of the Waziristan territory, and later Pandit Nehru took Pathan hostages in Hazara. Where was Khan Abdul Ghaffar Khan's Zalme Pakhtoon when

Pathans were murdered in cold blood in Bombay? What have the Khan Brothers done to help the Muslims in Bihar, where thousands were killed treacherously and many thousands more were uprooted from their hearths and homes.

In the end Begum Sahiba appealed to the Pathans to rally round the Muslim League flag and thus defeat the machinations of the Khan Brothers who wanted to keep the Frontier Province under Hindu raj.

Welcoming the League women leaders, a representative of Pir Sahib of Manki Sharif said: "Today our sisters are the front-rank soldiers of Islam and as this is a peaceful *Jehad*, we welcome them in our midst unveiled but dressed in clothes which is *shar'i purdah*."

¹*The Pakistan Times*, 4 July 1947.

IV. 13

Howard Donovan to George Marshall
U.S. National Archives, 845.00/7-247

CONFIDENTIAL
 No. 9

AMERICAN EMBASSY,
 NEW DELHI,
 2 July 1947

Subject: Further Developments in Agitation for "Pathanistan"
 Sir,

I have the honor to refer to my airgram No. A-130 of June 23, 1947¹ regarding Gandhi's support of the "Pathanistan" movement in the North-West Frontier Province and to submit some additional information on the subject. Sardar Abdur Rab Nishtar, Communications Member for the Government of India, issued a statement on June 28 severely criticizing the Pathanistan movement. The text of his statement, as it appeared in the *Delhi Statesman* of June 28, is enclosed herewith. The Pathanistan movement was characterized by the Communications Member as a movement "to isolate the North-West Frontier from Pakistan and ultimately make it a province of Hindustan". Sardar Abdur Rab Nishtar also charges that if Pathanistan should come into being it would "seriously threaten the freedom of Pathans of the independent tribal areas".

On the same day Dr. Khan Sahib, Premier of the N.W.F.P., issued a statement² that once it had been decided to divide the Punjab it was impossible for the N.W.F.P. to continue to remain in Hindustan. He added that since a definite verdict against Pakistan "had already been given by

the Frontier people during the last elections there was no alternative but to have a separate sovereign State".

The *Delhi Statesman*³ on the same date published an editorial severely criticizing Gandhi and the Congress for espousing the cause of Pathanistan and thereby repudiating the commitment which they made to abide by the Viceroy's plan of June 3. The text of this editorial is enclosed and it is in my judgment a very fair statement of the case. This is a fair sample of impartial press comment on this subject.

The Viceroy remarked yesterday during the course of a brief conversation which followed the presentation of the Ambassador's credentials that only Gandhi supported the "Pathanistan" movement. This confirmed what I had heard from other sources. The whole affair is merely a case of Gandhi discharging a political debt to the Khan Brothers and in so doing he has embarrassed the Congress and has sown the seeds of trouble in the N.W.F.P. The Viceroy in this same conversation deprecated the idea of trouble in the N.W.F.P. as a result of the Congress boycott of the forthcoming referendum but I am inclined to think that there might be some wishful thinking involved in the Viceroy's statement. Mr. Jinnah, in commenting⁴ on the matter yesterday, denounced it as merely a trouble-making device instigated by Gandhi and he said categorically that the Muslim League would sweep the N.W.F.P. at the forthcoming referendum.

Respectfully yours,
HOWARD DONOVAN
*Counselor of Embassy
for the Ambassador*

¹Annex I to Appendix IV. 12.

²Annex I to IV. 13.

³Annex II to Appendix IV. 10.

⁴See No. 299, Vol. II, 563-6.

Enclosure to No. IV. 13

NISHTAR'S CRITICISM OF MOVE FOR PATHANISTAN¹

The object of the move for Pathanistan was "to isolate the North-West Frontier from Pakistan and ultimately make it a province of Hindustan," said Sardar Abdur Rab Nishtar, Communications Member, in a statement on Friday. Such a step would not only adversely affect the interests of Pakistan but would seriously threaten the freedom of Pathans of the independent, tribal areas.

"It is the duty of every Muslim to nip this mischief in the bud," he added. "I hope it is not too late even now for me to appeal to Khan

Abdul Ghaffar Khan to unconditionally declare [*sic*] in favour of Pakistan. This is the only way to get real freedom."

Mr. Nishtar said: "I was pained to read the statement² of Khan Abdul Ghaffar Khan, which is full of baseless insinuations. The Musalmans expected that now, at any rate, he would give up his anti-Muslim policy, but it appears that he is still playing the game of those who are out to disrupt [*sic*] the Muslims of India.

"It is strange that last year he willingly joined the Hindu Constituent Assembly which was boycotted by Muslims *en bloc* and accepted a union of the whole of India dominated by Hindus from which no province had the right to opt out. But now when the Pakistan Constituent Assembly is going to be set up, wherein there will be an overwhelming majority of Musalmans and in which representatives of the Frontier Province will have equal status with others, he has started the stunt of an independent Pathanistan. He knows it full well that neither is his proposal practicable nor is it in the interest of the people of the Frontier Province. The only result of his attitude will be the creation of a rift between the Muslims of the NWFP.

"He himself admits that he had consultations with Congress leaders about this question, and Mr Gandhi in his post-prayer speech on June 24³ has given a clear indication of what the real object of this Pathanistan move is. He said that the object of Khan Abdul Ghaffar Khan and his friends was not to set up a third State apart from Hindustan and Pakistan. They wanted to have the fullest autonomy in their province, just as any of the other provinces had, owing allegiance to the Centre. This clearly shows that the object of the Pathanistan move is to isolate the NWFP from Pakistan on some pretext and then ultimately make it a province of Hindustan. I hope that the people of the NWFP and other Musalmans who feel interested in the Pathans will understand the dangerous implications of this move.

IRONY OF FATE

"To keep the NWFP out of the brotherhood of the Muslim Provinces of Pakistan means providing a field for mischievous anti-Muslim machinations of the enemies of Musalmans. Such a step will not only adversely affect the interests of Pakistan but will seriously threaten the freedom of our Pathan brothers of the independent tribal areas. It is the duty of every Muslim to nip this mischief in the bud. I hope it is not too late even now for me to appeal to Khan Abdul Ghaffar Khan to unconditionally declare [*sic*] in favour of Pakistan. That is the only way to get real freedom.

"It is an irony of fate that, while the whole Muslim world is rejoicing over the establishment of Pakistan, a small section of Muslims who belong to the Pakistan area should continue to create difficulties in the way of their own State. Let all of us stand together and work with one heart for the building up of Pakistan. I am sure that the Pathans will, by virtue of their merit and spirit of service and sacrifice, come to occupy an honourable place in Pakistan".—API.

¹The *Statesman*, 28 June 1947.

²Annex III to No. 299, Vol. II, 567-9.

³Annex VI to *ibid.*, 573-5.

Annex I to IV. 13

NO ALTERNATIVE BUT PATHANISTAN

Frontier Premier Explains Demand¹

PESHAWAR, June 26: Dr Khan Sahib, the Frontier Premier, at a press conference here today explained the circumstances which led the Frontier Congress to demand a separate sovereign State of Pathanistan, and to boycott the referendum. "The division of the Punjab having been decided upon," said Dr Khan Sahib, "it is almost impossible for us to continue to remain in Hindustan. And because a definite verdict against Pakistan has already been given by the Frontier people during the last elections there is no alternative left to us but to have a separate sovereign State of our own."

The issue of Pathanistan, he explained, could not arise during the last elections, "which were clearly fought on the basis of a united India versus Pakistan. The question of Pathanistan was brought before the public only when we became sure that India was going to be divided."

The Frontier Premier emphasized that the ultimate solution of all the problems facing the people now was through revolution. "It is our duty," he said, "to direct that revolution in the channels which would result in a peaceful settlement of all issues."

"There would be absolute equality between all human beings, and discrimination of any kind would not be tolerated in Pathanistan," said Dr Khan Sahib, in reply to a question. He revealed that instead of fighting the forthcoming referendum, his party would tour the villages and explain to the people the reasons which led them to decide to boycott the referendum.²—API.

¹The *Statesman*, 28 June 1947.

²See Annex II.

Annex II to IV. 13

DR KHAN CHALLENGED TO FACE THE ELECTORATE

Pathans Are Sure To Join Pakistan Says Abdul Sattar Niazi¹

DERA ISMAIL KHAN, June 30: "The Pathans have two alternatives, whether to accept the slavery under a Bannia-Brahmin Rule, or to join the Muslim fraternity as equal partners. I am sure that Pathans will sit with their Brethren-in-Islam in the Pakistan Constituent Assembly," observed Maulana Abdul Sattar Khan Niazi, MLA (Punjab), addressing a large Pathan gathering at D. I. Khan. The Nawab of Tank, presided.

Maulana Abdus Sattar Khan Niazi said: "The Congress game in the Frontier has always been to keep Pathans divided from the rest of the Muslims of India and to use them in their own interests. Wide awake, as the Pathans are, they have seen through the game of the Hindu imperialism and the time is not far off when they will rejoin the Muslim fraternity and rule over the Pakistan State.

Referring to the slogan of Pathanistan raised by the Khan Brothers, Maulana Abdul Sattar Niazi said. "I am sure the Pathans do not believe in the change of masters. The cry for Pathanistan is un-Islamic in character and should be given decent burial by the Pathans. The Congress game is obviously to avoid the disgrace of a crushing defeat in the coming referendum and to confuse the issue. Now it is for the Pathans to decide whether they are willing to accept the slavery of *Bania-Raj* by voting in favour of Hindustan Constituent Assembly or they want to rule with their Muslim brethren in Pakistan as equal partners, by joining the Pakistan Constituent Assembly.

Maulana Abdul Sattar Niazi added: "The false notion of racial superiority is based on inequality and injustice which is against the fundamentals of Islam. This theory of superiority was put across by the Nazis to build up a powerful world imperialism but the hoax was exposed and it has died a natural death along with the extermination of the Nazi rule. Islam is a religio-political system and has got all the good qualities of socialism and other 'isms' that have got any message for the humanity."

Speaking at the same meeting the Nawab of Tank challenged Dr Khan Sahib and his henchmen not to leave the field but to face the electorate who they claim are with the Congress.

Pir Habib Ullah Jan of Zakori, Malik Ibrahim and Sh. Ghulam Qadir in their speeches appealed to the Pathans to vote for Pakistan.

¹The *Pakistan Times*, 2 July 1947.

IV. 14

*Rob Lockhart to Louis Mountbatten**R/3/1/151¹*

No. GH-106

GOVERNMENT HOUSE, PESHAWAR,
3 July 1947

Dear Lord Mountbatten,

I forward herewith a Statement of the Provincial Ministry, dated 26th June 1947, in the matter of the proposed Referendum.

This Statement was sent to me by Dr Khan Sahib on the 26th—the day I assumed office—under a forwarding letter in which he requested me to send the statement to your Excellency.

2. I had before receiving this letter arranged for Dr Khan Sahib to come and discuss matters with me on 27th. He came and I took the opportunity to discuss the statement. Although Dr Khan Sahib seemed to admit that the reasons given in paragraph 1 of the statement against holding a referendum were not valid because of the changes inherent in the Plan of June 3rd, he held out no hope of his Ministry or party agreeing that Pakistan was inevitable, or even of agreeing to modify their statement. He agreed however to our bringing up the statement for discussion at a meeting of Council which I fixed for Monday 30th June.

My discussion with Dr Khan Sahib was entirely amicable.

3. The Council meeting was duly held on 30th June and the statement of the Ministry discussed at length.

Discussion centered chiefly on paragraph 1. I attempted to persuade my ministers that the statement that the last General Election[s] of 1946 gave an unambiguous verdict against Pakistan was not relevant to the present situation. I argued that the issue then was between Pakistan and an undivided India. Now a decision had been made that India would be divided. It was therefore now no argument to say that because people had voted in favour of a united India instead of Pakistan in 1946 they would not in the new situation prefer to join the Pakistan rather than Hindustan Constituent Assembly.

Although the Ministers admitted that there was no question of the North-West Frontier Province wishing to join the Hindustan Constituent Assembly, and appeared to agree that there was no way of putting any other alternative before the people except Pakistan or Hindustan without changing the Plan of 3rd June 1947, they would not agree to modify their statement.

The only modification they would admit was in paragraph 3, where they agreed that it was incorrect to use the words "long before" in line 1 of that paragraph.

4. They finally said that the Statement was written in continuation of Dr Khan Sahib's interview with Your Excellency² and in accordance with an undertaking he then gave you to send to you in writing the views of his Ministry as held at the time of his visit.

5. I accordingly forward the Statement for Your Excellency's information.

6. Meanwhile arrangements for the Referendum are going ahead. The Ministers assure me of their desire that it should be conducted peacefully. They have agreed to the promulgation of the Ordinances, and to the poster³ of which Your Excellency gave me a draft the day I left Delhi.

7. I am writing separately about the general situation and my actions since I took over.⁴

Yours sincerely,
R. M. M. LOCKHART⁵

²No. 475, *TP*, XI, 847-50.

³During this interview Mountbatten informed Dr Khan Sahib of the reasons for opposing Pathanistan option and the latter suggested Caroe's removal and holding of referendum under a new Governor. See No. 81, *TP*, XI, 150-1.

⁴Annex to Enclosure to No. 284, Vol. II, 544-5.

⁵Lockhart along with Dr Khan Sahib and Abdul Qaiyum Khan issued a statement on 4 July for maintaining peace during referendum. See Annex.

⁶In his reply of 9 July Mountbatten asked Lockhart to thank Dr Khan Sahib for the statement by the Frontier Ministry, and agreed with the line the Governor had taken. See No. 475, note 3, *TP*, XI, 848-9.

Enclosure to IV. 14

[STATEMENT BY THE FRONTIER MINISTRY]

26 June 1947

1. The Ministry have given careful thought to H.M.G.'s Announcement of 3rd June, 1947, regarding the transfer of power in so far as it affects the N.W.F.P. They are of the opinion that the proposal to hold a Referendum in the N.W.F.P. on the issues mentioned in para 4 of the Announcement is unjustified. The last General Elections of 1946 were contested by our organization on the clear issue of Pakistan and the electorate gave an unambiguous verdict against it. Therefore, it is unnecessary to hold a Referendum now.

2. It is a fact that a violent communal agitation was launched by the

Muslim League in this Province about 7 or 8 months ago. The Nazi methods used by them, which resulted in the murder of hundreds of innocent men, women and children, and considerable loss of property amounting to crores of rupees, struck terror into the minds of all those who were unable to defend themselves. This lead [sic for led] to the exodus of a large section of the population from the Province. The agitation was still going on when H.M.G. announced the partition of India on communal lines, i.e. Hindu India & Muslim India. Similarly due to the widespread riots in the Punjab, the partition of that Province on communal lines became inevitable. The partition of Punjab naturally created a physical barrier between Hindustan and N.W.F.P. Under the terms of the Announcement, Referendum in the N.W.F.P. was to be held only after the partition of the Punjab had become an accomplished fact. In these circumstances, to call upon the 94 per cent Muslim population of N.W.F.P. to vote whether they wished to join Hindustan or Pakistan is highly unfair and unjustified.

3. Long before the Announcement, it was made abundantly clear by the leaders of our organization, both in press and on the platform, that they did not wish to join either Hindustan or Pakistan but that they desired to have a free Pathan State of their own in N.W.F.P. The Ministry, therefore, feel that with a view to ascertain[ing] the will of the Pathans of N.W.F.P., a Referendum should have been held on the issue of Pathanistan and Pakistan.

4. It may be explained that the two Members¹ of our Organization attended the meetings of the existing Constituent Assembly because under the Cabinet Mission Plan of 16th May, 1946,² only one Constituent Assembly had been set up and they had rightly hoped that the Muslim League will also ultimately join it, in view of their earlier acceptance of the said Plan.

5. The Ministry also feel that whereas in the case of other Provinces which are affected by the partition, it was Members of the Legislative Assemblies concerned that were given the right to express their opinions; in this Province alone a departure was made.

6. The campaign of violent crime, arson, loot and forcible conversions in which the Muslim League Party indulged for the last 7 or 8 months, has created an atmosphere in which the holding of a free Referendum is not possible. The responsible leaders of the Muslim League still hold out open threats of violence both against the minorities and the weaker section of the general populace that if they cast their votes against Pakistan they will do so only at their peril. The Ministry feel that the holding of Referendum under such conditions

will lead to violence and bloodshed. They, therefore, protest against H.M.G.'s proposal to hold a Referendum in the N.W.F.P. on the issues mentioned in para 4. They also wish to state for the information of H.E. the Viceroy that the Khudai Khidmatgars will not associate themselves with the proposed Referendum.

K[HAN] SAHIB

¹Khan Abdul Ghaffar Khan and Sardar Asadullah Jan Khan.

²Appendix III. 1, Vol. I, Part II, 32-42.

Annex to IV. 14

MAINTAIN PEACE DURING REFERENDUM

Leaders' Joint Appeal To Frontier Citizens¹

PESHAWAR, July 4: A joint appeal to all citizens of the NWFP to maintain peace in the Province, has been issued today under the signatures of His Excellency Lieut-Gen Sir Rob Lockhart, acting Governor, NWFP, Dr Khan Sahib, Premier, and Mr. Abdul Qaiyum Khan, Leader of the Opposition in the Frontier Assembly.

The appeal says: "As you all know, in accordance with the agreed plan, a referendum is going to be held in the Province between July 6 to July 17 to ascertain whether its people wish the NWFP to join the Hindustan Constituent Assembly or the Pakistan Constituent Assembly.

"Although the Congress Party of this Province has decided to abstain from voting in the referendum, both the parties are nevertheless at present engaged in electioneering campaign, in spite of the appeal of the leaders, inflammatory and provocative speeches are being made at meetings. Members of each party are abusing members of the other, and arms are being carried by ordinary citizens on occasions when there is no necessity to do so. Such actions are likely to lead to breaches of peace.

"Not only the good name of the Province and its people is at stake, but also their well being and prosperity. The eyes of the whole world are upon us. We, therefore, make a solemn appeal to all citizens of the Province:

To refrain from provocative speeches and action.

To respect the law and support those responsible for enforcing it; this is the duty of every citizen in any democratic State.

To allow your fellow citizens to vote as their conscience dictates.

To dismiss from your mind all thoughts of victimisation against your political opponents.

Not to carry arms at meetings, in processions, near polling stations or at any time when you have no legitimate reason to do so. Do not attempt to interfere with any one who wishes to vote or to abstain from voting.

Not in any way to hamper or hinder the work of those concerned with the control and direction of the referendum.

To remember that unless there is peace and goodwill amongst all classes of the people there can be no prosperity or progress." —API.

¹The *Pakistan Times*, 6 July 1947.

IV. 15

*Extract¹ from India and Burma Committee's 40th Meeting held on
3 July 1947*

PRESENT

Clement Attlee

Christopher Addison

C. P. Mayhew

A. Carter

S. E. V. Luke

F. F. Turnbull

Stafford Cripps

The Earl of Listowel

Arthur Henderson

J. Rowlatt

G. M. Wilson

MINUTE 4

RELATIONS WITH AFGHANISTAN

The Parliamentary Under-Secretary of State for Foreign Affairs informed the Committee that the Afghan Government had put forward a proposal that the terms of the referendum to be held in the North-West Frontier Province should be extended to allow the additional choice of becoming independent or of joining Afghanistan.² It was proposed to inform the Afghan Minister in London that these representations related to an area which formed an integral part of India and was recognised as such by the Afghan Government in the Anglo-Afghan Treaty of 1921, and that His Majesty's Government could not admit the right of a foreign government to intervene in the internal affairs of these areas. The Afghan Government also contended that, with the change in status in India, the obligations created by the Anglo-Afghan Treaty will no longer be binding. As regards international obligations, the Muslim League in telegram No. 1703-S³ had said that as at present advised they were not prepared to accept the present international

obligations of His Majesty's Government in relation to Afghanistan. If this attitude was persisted in it would destroy the case we were making to the Afghan Government. He thought that the Viceroy ought to be asked to point out to the Muslim League leaders the embarrassment and difficulties to themselves which the maintenance of such an attitude would cause; and that meanwhile the Foreign Office should be authorised to continue to resist the Afghan representations on the ground that there could be no question of the Treaty of 1921 lapsing.

¹No. 486, TP, XI, 870-1.

²See Appendix IV. 5, 8, and 12. Also see Nos. 288, and 310 and Appendix V. 8, Vol. II, 554, 587-9 and 864-5, respectively.

³Annex II to No. 1.

IV. 16

*Extract¹ from Minutes of the Indian Cabinet
[Meeting] held on 4 July 1947*

PRESENT

Louis Mountbatten

Jawaharlal Nehru
Vallabhbhai Patel
Rajagopalachari
Baldev Singh

Liaquat Ali Khan
Rajendra Prasad
John Matthai²
C. H. Bhabha³

R. Pillai⁴
H. Shoobert⁵
George Abell
H. M. Patel
S. Osman Ali

CASE NO. 170/33/47

AFGHAN CLAIMS ON THE NORTH-WEST FRONTIER

The Hon'ble Member for External Affairs and Commonwealth Relations said that about a month ago the Press and the Radio in Afghanistan had started a campaign giving prominence to Afghanistan's interests in the North-West Frontier and the claim was made that Pathans were Afghans rather than Indians and they should have the utmost freedom to decide their own future and should not be debarred, as the proposed referendum would appear to do, from deciding either to form a separate free State or to rejoin their motherland, viz. Afghanistan. These claims had later been taken up on an official level with H.M.G.

and the Government of India. The Government of India had refuted this irredentist claim of Afghanistan to the area lying between the Durand Line and the Indus River, and had pointed out that the issue regarding an independent Pathan State was a matter entirely for the Government of India and the Afghan Government had *no locus standi*.⁶ H.M.G.'s Minister at Kabul had mentioned the possibility that the Afghan Government's object might be to divert public attention in Afghanistan from the internal economic situation which was precarious.

¹No. 493, TP, XI, 878.

²Member for Transport and Railways, Interim Government, 1947.

³Member for Works, Mines and Power, Interim Government, 1946-47.

⁴Secretary, Commerce Department, Government of India, from 1942.

⁵Secretary, Communications Department, Government of India, from 1946.

⁶Also see Annex.

Annex to IV. 16

AFGHAN CLAIM TO NWFP NOT TO BE ENTERTAINED

India Government To Reply Through Britain¹

NEW DELHI, July 3: The Government of India, it is learnt, will inform the Afghan Government through the British Minister in Kabul that they cannot entertain the Afghan Government's irredentist claims to the North-West Frontier Province, which is a part of India.

It is understood that approaches have been made by the Afghan Government to HMG, indicating their desire that the Frontier should be permitted to choose complete independence in the forthcoming referendum and the Government of India have been kept fully informed of developments.

Such approaches, it is learnt, have not had a favourable reception here as the referendum is considered to be a purely internal affair of India.

The Government of India, it is further understood, are not inclined to lend any credence to the theory that the Afghan move is Russian inspired.—API.

¹The *Pakistan Times*, 5 July 1947.

IV. 17

Jawaharlal Nehru to M. K. Vellodi

Telegram, R/3/1/138
[Extract]¹

IMMEDIATE/SECRET
No. 5211

FOREIGN, NEW DELHI,
4 July 1947

Personal for Vellodi from Nehru.

4[3]. Sudhir Ghosh's telegram to me, dated 3rd July² regarding Frontier referendum: no breach of pledge involved in abstention from referendum by Frontier Congress.

Referendum nevertheless takes place. Method of asking people to choose was objected to as it became a communal question. Ideal of free Pathanistan does not mean complete independence or isolation from India. It means full autonomy for province and liberty of choice as to which Dominion to join. Frontier Congress entirely opposed to any intrusion of Afghanistan in a matter which appertains to India only.

4. On Muslim League side propaganda to build up pan-Islamic State from Frontier to West Asia. Frontier Congressmen entirely opposed to this as well as to joining Pakistan. However in order to avoid contest on purely communal issue and possibility of conflict on such issue they decided to abstain from taking part in referendum. Quite clear that there is no demand for separate sovereign state as everyone realises Frontier Province too small and weak for such existence.

¹No. 502, TP, XI, 889.

²Not available in QAP. See Annex II and III to No. 299, Vol. II, 566-7.

IV. 18

The Earl of Listowel to Louis Mountbatten

Telegram, L/P&S/12/1811¹

IMPORTANT/SECRET
[No.] 8631

INDIA OFFICE [LONDON S.W.I],
5 July 1947, 7.15 am

Received: 5 July, 2 pm

Your 1703-S² paragraph 5 of July 2nd—Treaty obligations of Pakistan.

2. Foreign Office today handed Afghan Charge d'Affaires *aide-memoire* in reply to Afghan representations that North-West Frontier Province should be allowed to opt not only whether [*sic*] to join Pakistan or Hindustan but also to become an independent state or part of Afghanistan (see Govt. of India E.A. & C.R.D. telegram No. 5139 of 2nd July).³ As you are aware, H.M. Minister at Kabul has also received instructions to communicate with the Afghan Govt. in a similar sense. The basis of these replies is that the Afghan representations relate to an area which forms an integral part of India and is recognised as such by the Afghan Govt. in the Anglo-Afghan Treaty of 1921.

3. Were Muslim League leaders to adhere to the view indicated in paragraph 5 of your telegram 1703, the whole basis of our reply would fall to the ground, which would be even more harmful for Pakistan than it would be for us. It is very much to be hoped therefore that you will be able to persuade Muslim League to adopt view that when set up Pakistan will consider itself as successor to all applicable treaty rights and obligations, as suggested in my tel. 8122 of 24th June,⁴ or at any rate refrain in their own interests from committing themselves to a view which would strengthen the Afghan pretensions with which their Redshirt opponents appear to be associating themselves.⁵

¹No. 517, *TP*, XI, 909-10.

²No. 463, *ibid.*, 831-2.

³See No. 453, note 5, *ibid.*, 821.

⁴Appendix IV. 6.

⁵For Jinnah's acceptance of treaty rights and obligations, see No. 63.

IV. 19

Rob Lockhart to Louis Mountbatten

R/3/1/165

[Extract]¹

TOP SECRET

No. GH-116

GOVERNMENT HOUSE, PESHAWAR,

9 July 1947

[Paras 1 to 3 (i) relating to post-Referendum Problem in NWFP and Reactions to a Coalition Government included in Annex I to No. 79]

3. (ii) FUTURE POLICY OF EACH PARTY

(a) I asked both Dr. Khan Sahib and Mr. Chundrigar what the policies of their respective parties would be after the Referendum. As I

saw it, I said, the League had hitherto stood for Pakistan. That, and that alone, had been their policy. They had now got Pakistan. What were they going to stand for in future? Mr. Jinnah had told me that, except for defence, foreign affairs, communications and perhaps one or two other subjects common to all Provinces which would have to be controlled from the Centre, Provinces would have complete provincial autonomy. This, I believed, is what the Congress really had in mind in their demand for Pathanistan. I did not believe that they seriously contemplated an independent Pathan State.

(b) As for the Congress policy, I said that it seemed to me that they realised that Pakistan was initially inevitable, that at heart they did not believe in an independent State, but desired complete provincial autonomy. Where then was the real difference between the two parties if it were not individual enmity?

(c) Mr. Chundrigar's reply was not very definite. I cannot say what he really thought the League's future policy would be.

(d) Dr. Khan Sahib however stated that in his opinion the position was that the Muslim League would be the Conservative Party, supporting the landlords and capital[ists], while the Congress Party would be the Labour Party standing for a socialist and democratic Province. He spoke, too, of the Province forming a separate third Dominion working in close co-operation with the other two Dominions. I think he must have got this idea from an article by Sir W. Barton² which appeared recently in some journals.

I consider that the future policy of each Party has an important bearing on the possibility of any co-operation between the two parties during what one might call the interim period, as well as on the future generally.

[Paras 3 (iii) to 7 relating to Arms and the Private Armies, Government under Section 93, the Tribes, the Courses Open, and the Plan included in Annex I to No. 79]

¹No. 45, *TP*, XII, 54.

²Resident, Hyderabad, 1925-30.

IV. 20

AFGHANISTAN ASKED NOT TO PREJUDICE TRANSFER OF POWER¹

LONDON, July 8: The British Government, I understand from trusted sources, has indicated to the Afghan diplomatic representative in London

its earnest hope that the Afghanistan Government will do nothing to prejudice the transfer of Affairs in the North-West Frontier Province of India from British to Indian hands, cables Reuter's political correspondent.

The Afghanistan Government in a recent Note² to the British and Indian Governments is understood to have asked that the inhabitants of British Baluchistan and the North-West Frontier Province should have the right to decide whether their future should lie with India, with Afghanistan, or on the basis of independence.

The British Government, I understand, have now indicated to the Afghan Charge d'affaires in London that their policy is based upon the Afghan Treaty of 1921. Political quarters here think that the future relationship between India—or Pakistan as may be—and Afghanistan is a matter between the Governments of these countries.—Reuters.

¹The *Pakistan Times*, 10 July 1947.

²See Appendix IV. 5.

IV. 21

NISHTAR EXPOSES GHAFFAR KHAN'S MISSTATEMENTS

AICC Never Approved Sovereign Pathanistan¹

NEW DELHI, July 10: "Khan Abdul Ghaffar Khan is reported to have said at some meetings and in press statement² that the Congress never agreed to a referendum being held on the issue of the Frontier Province joining either the Union Constituent Assembly or Pakistan Constituent Assembly," said Sardar Abdur Rab Nishtar, Communications Member, Government of India, in a statement.

"Everybody knows that the statement of His Majesty's Government dated June 3, 1947 has been accepted as a whole by the Congress Working Committee as well as the All-India Congress Committee. The meeting of the Congress Working Committee held to consider the June 3 statement was accepted by an overwhelming majority. Khan Abdul Ghaffar Khan did not oppose the resolution that was placed before the All-India Congress Committee recommending the acceptance of the statement. Therefore, it is a clear misstatement on his part to say that the Congress had not accepted the issue which is now the basis of the referendum.

"In accordance with the scheme of the June 3 statement, there were only two courses open to the Frontier Congress Assembly Party, either

to go to the polls and abide by the verdict of the people on the issue agreed to by both the parties, or if the Frontier Congress thought that on this issue the decision of the people of the Frontier is a foregone conclusion, to agree to the Pakistan Constituent Assembly and avoid voting. To boycott the referendum and to say that the Frontier Congress would not abide by the result is a clear violation of the June 3 Plan.

RIGHT OF SECESSION

"Khan Abdul Ghaffar Khan has also repeatedly said that he had joined the Union Constituent Assembly called in pursuance of the Cabinet Mission Plan of May 16, 1946,³ because it conceded the right of secession to the Frontier Province. This is also absolutely incorrect. The Cabinet Mission Plan did not concede the right of secession from the All-India Union.

"Khan Abdul Ghaffar Khan and Qazi Atta Ullah Khan have been loud recently in harping on the establishment of an independent Pathan State. The utterances of their leaders, Mr. Gandhi and Pandit Jawaharlal Nehru, on this point expose the hollowness of their utterances. Mr. Gandhi has made it clear that by independent Pathanistan, Khan Abdul Ghaffar Khan does not mean the establishment of a separate State of the Pathans, in the NWF Province, but his ultimate aim was to join either Hindustan or Pakistan as a Province. A message⁴ of Pandit Jawaharlal Nehru was recently published in the *Manchester Guardian* and has appeared in the Indian papers today. He is reported to have said that the idea of free Pathanistan does not mean complete independence or isolation from India. It means full autonomy for the Province and liberty of choice as to which of the two States to join.

PROVINCIAL AUTONOMY

"Even according to Khan Abdul Ghaffar Khan, provincial autonomy has been conceded by Quaid-i-Azam Jinnah and so far as the choice to join one of the two States, Hindustan or Pakistan, is concerned, it has been conceded to the Province by the June 3 Plan. It is only to give an opportunity to exercise this choice that a referendum is being held and, therefore, Khan Abdul Ghaffar Khan and his party should have no grouse on that score. But their conduct and statements are not consistent with the interpretation of Pandit Nehru. In the above mentioned message Pandit Nehru is reported to have remarked that it is quite clear that there is no demand on their part for a separate sovereign State as everyone realises that the Frontier Province is too small and too weak for such existence, that even the Congress High Command realises that the demand of Khan Abdul Ghaffar Khan and his

followers for the setting up of separate State in the Frontier Province is neither wise nor practicable. Will these gentlemen listen to their own High Command?"—API.

¹The *Pakistan Times*, 12 July 1947.

²It is not clear which statement is referred to here. For other statements by Abdul Ghaffar Khan, see Annex III to No. 299, Vol. II, 567-9. Also see Appendix IV, 10.

³Appendix III, 1, Vol. I, Part II, 32-42.

⁴See Appendix IV, 17.

IV. 22

Giles Squire to the Earl of Listowel

Telegram, L/P&S/12/1812¹

IMPORTANT
No. 61

KABUL,
11 July 1947, 6.00 pm
Received: 12 July, 9.40 pm

As reported in my despatch No. 63 of July 5th² I called on Afghan Foreign Minister and spoke as instructed in Forminka No. 57.³

2. On July 10th Foreign Minister handed me his Government's reply in a six-page letter which he read in Persian. Translation will follow but reply is not helpful. It consists mainly of contradiction of statement in para 3A of Forminka 56⁴ that area forms integral part of India. (? Afghan) thesis is supported by reference to three Afghan wars and subsequent treaties and to account in Volume XIII of Aitchison's *Treaties*.⁵ Letter also argues that it was the British and not Indian Government that seized these Afghan territories and that their transfer to India therefore is arbitrary act out of keeping with British sense of justice. It repeats old arguments and claims that referendum under present limitations would lead to absorption of Afghans of North-West Frontier Province under alien rule which cannot be acceptable and that it would inevitably leave legacy of disagreement between Afghan and whichever Government is responsible for the area.

3. In reply I informed Minister for Foreign Affairs of contents of Forminka No. 60,⁶ argued that further appeal to His Majesty's Government to change its course was stubborn and that present publicity campaign would only ensure maximum resentment from His Majesty's Government, India and Pakistan. Afghan Government should look forward not backward and should now seriously consider

how problems of mutual interest especially assistance to Frontier security could best be solved in friendly negotiation with new (probably Pakistan) Government whose friendship was of vital importance to Afghanistan.

4. Press campaign continues on now familiar lines, I will examine Afghan reply in detail but meanwhile no further reply seems called for.

Repeated to Government of India, External Affairs and Commonwealth Relations Department, and N.W.F.P.

¹No. 70, *TP*, XII, 107-8.

²Not available in *QAP*.

³See No. 50.

⁴Appendix IV. 9.

⁵C. U. Aitchison, comp., *A Collection of Treaties, Engagements and Sanads*, Calcutta, 1933.

⁶See No. 60.

IV. 23

Rob Lockhart to Louis Mountbatten

R/3/1/165¹

SECRET

D.O. No. GH-127

GOVERNMENT HOUSE, PESHAWAR,

16 July 1947

Dear Lord Mountbatten,

Reference my signal CA-145 dated 15th July 1947.²

I attach my report³ on my talk with Khan Abdul Ghaffar Khan and Dr. Khan Sahib on 14th July. It is in telegraphic form because I drafted it as a telegram. I then heard that an officer was going to Delhi by air and so decided that a possible few hours delay would not matter and that it would be best to send it by hand.

2. It may be that I have been led up the garden path, and all that the Congress Party want is to remain in power and are prepared to do anything to do so. It may be that they are trying to postpone any decision to dismiss them after the Referendum, or are seeking to find some excuse for not resigning then.

However, I believe that slight though the modifications in Abdul Ghaffar Khan's demands are they might not be totally unacceptable, and I am sure that if the two parties can be brought to any sort of agreement it will be a great help for the future. I believe too that the Congress Party may be seriously seeking a compromise: there was a report which I saw last night that Abdul Ghaffar Khan was trying to find a way to one through the Pir of Manki.

I have only a very slight hope that I may be right. I do not like the campaign of vilification of the conduct of the Referendum which has been started. Dr. Khan Sahib himself only yesterday made the most sweeping accusations against the officials connected with it. They are a most illogical and prejudiced lot of men, and I mistrust the motives at the back of this campaign. Nevertheless I feel that any step which may lead to a peaceful solution is worth trying.

Yours sincerely,
R. M. M. LOCKHART

¹No. 130, TP, XII, 187-90.

²Giving advance notice of the proposal for Abdul Ghaffar Khan to go to Delhi to meet Mr Jinnah so that, if Lord Mountbatten thought fit, Jinnah could be informed "with a view to delaying any decisions on future set up of government [of] this province until Abdul Ghaffar's proposals considered." IOR, R/3/1/165.

³See Enclosure.

Enclosure to IV. 23

SECRET/PERSONAL

No. GH-125

PESHAWAR,

16 July 1947

First. Khan Abdul Ghaffar Khan and Dr. Khan Sahib came to tea on 14th. Afterwards I had discussion with them lasting about three-quarters hour.

Second. I started by saying I had not invited Abdul Ghaffar Khan to talk politics, but with object of meeting him. I felt however that all three of us had welfare of Province as our first interest, and wished above all for peaceful solution to its present troubles. I was most anxious to know what the position would be on August 15th and line their (Congress) Party proposed to adopt. I would therefore be very grateful if they would tell me what was in their minds about future.

Third. Abdul Ghaffar Khan, who throughout was amiable, spoke at some length, very quietly and mostly in Urdu. He stressed his desire for peace and his horror of present bad relations between Muslims of opposing parties in the Province. He assured me that he would do nothing to encourage any violence or ill-feeling, in fact he would do everything in his power to prevent them.

Fourth. He then referred without rancour to his failure to secure Jinnah's agreement to what he said were his three main points, namely:

- (a) complete provincial autonomy;
- (b) the right to admission to the N.W.F.P. of contiguous territories

inhabited by Pathans (By this he meant areas such as Baluchistan, Tribal Territory and parts of Western Punjab on banks of Indus);
 (c) to the Province's right to secede from Pakistan if it so desired.

Fifth. We all three then discussed these points. Discussion remained quiet and amicable. It ended in my asking Abdul Ghaffar Khan if he would be willing to meet Jinnah again. He said he would.

Sixth. I then suggested that he should modify his demands on Jinnah. After some discussion he agreed that he would be willing to negotiate with Mr. Jinnah on the following terms and if Jinnah agreed to them his party would accept Pakistan:

- (a) Complete provincial autonomy for the Province in all matters except
 - (i) Defence,
 - (ii) External Affairs,
 - (iii) Communications.
- (b) the right of any party to move for the secession of the Province from the Dominion in the same way that a Dominion has the right to secede from the Commonwealth should it so desire.
- (c) That it is open to areas contiguous to the Province which are included in the present boundaries of British India and are inhabited by Pathans to ask to become part of the N.W.F.P., and if they do to be included in it.

Seventh. If Jinnah is willing¹ to negotiate on these terms Khan Abdul Ghaffar Khan is willing to fly to Delhi at once. He would like to take with him Qazi Ataullah Khan, Revenue Minister, and two attendants.

Eighth. I then asked what they saw happening if Jinnah agreed to these terms. The answer was that one solution would be that the present Ministry would continue until a general election under the new Constitution had been held. In reply to my query they agreed that it would be desirable to include at any rate one Muslim League Minister in the Ministry. Abdul Ghaffar Khan said that he had himself suggested this previously.

Ninth. Although I am dubious of Jinnah's reactions to eight above I see possibility of peaceful settlement, at least for a time, if Jinnah and Abdul Ghaffar could meet again and reach some agreement on lines of proposals now made. I hope Your Excellency also will agree that meeting is worth while and persuade Jinnah to agree to it.

Tenth. I would add that in informal talk with Ministers 14th morning Qazi Ataullah, Revenue Minister, said that what their party resented was being thrown to Pakistan.² What they would like would be for the Province to remain excluded from Pakistan and be governed

under Government of India Act 1935 until they had been able to consider the new Pakistan Constitution. After such consideration they would be in a position to negotiate with Pakistan the terms on which they would enter it. It was being compelled to join Pakistan unconditionally that they disliked. The referendum was not fair as it was impracticable to join Hindustan, and unjust to be forced into Pakistan when they could not influence in the Pakistan Constituent Assembly (where they would have only three representatives out of 42) the terms of their inclusion.

Eleventh. I realise that Qazi's views amount to non-acceptance of H.M.G.'s plan, but I mention it to show way some Congress Party's minds are working.

It indicates risk of civil disobedience campaign if Congress cannot be brought to accept Pakistan on some basis of agreement.

Twelfth. I would also add that Congress leaders may now be affected by anxiety about their personal safety under Pakistan. Some Muslim League leaders have made wild statements about anyone opposing Pakistan being *Kafirs* and also about hanging traitors.

Thirteenth. I urge therefore that Jinnah should meet Abdul Ghaffar and Qazi and negotiate on points in eight above, and also if agreement on these is reached, on possibility of forming a coalition Ministry to carry on until a general election.

Fourteenth. If you agree and Jinnah is willing could special aircraft be made available urgently.

Fifteenth. Dr. Khan Sahib has seen and agreed paras above.

Sixteenth. There are indications that Congress Party are starting campaign to show that referendum has not been properly conducted. Their criticisms are that there have been many bogus votes and officials have not been impartial. We shall no doubt be able to refute these accusations, but I regard campaign as indication that Congress Ministry are out to justify refusal to resign on result of referendum.

¹Mountbatten asked Mievile to ascertain if Jinnah was willing to meet Abdul Ghaffar Khan and negotiate the latter's acceptance of Pakistan, but Jinnah refused to negotiate over the head of the Constituent Assembly. See Nos. 202 and 239.

²After acceptance of partition by the Congress, Ghaffar Khan protested to Gandhi, "you have thrown us to the wolves". See *Supreme Court Judgement on Dissolution of NAP*, Government of Pakistan, 1975, 90. Also see Pyarelal [Nayar], *Thrown to the Wolves*, Calcutta, 1966.

IV. 24

*Giles Squire to Government of India, External Affairs and
Commonwealth Relations Department*

Telegram, L/P&S/12/1812¹

IMMEDIATE

No. 64

KABUL,

16 July 1947, 3.40 pm

Received: 17 July, 10.45 pm

My immediately preceding telegram² and Katodon No. 62.³ I had long talk with Afghan Prime Minister yesterday and tried to convince him of un wisdom of Afghan Press and Radio campaign especially the latter. Prime Minister reiterated that their interest in Afghans of North-West Frontier Province was natural and not unfriendly to us but that they had been compelled to allow young Afghan element certain latitude. He was however extremely reasonable and promised to take my advice and order immediate discontinuance of radio and moderation of press campaign.⁴ He was also worried about the future of tribal areas especially in view of the clause in Indian Independence Act⁵ annulling existing agreements.

2. Assuming that North-West Frontier Province referendum goes in favour of Pakistan⁶ I urged H.R.H. to see Mr. Jinnah in Delhi and discuss with him both possibility of issuing such announcement regarding autonomy of North-West Frontier Province within Pakistan orbit as would satisfy Afghan opinion and also any steps which might be possible to ensure co-operation between Afghanistan and Pakistan in settling future of tribal areas so that tribes should not be tempted to play off one side against the other. It has been suggested that North-West Frontier Province should be renamed Pathanistan.

3. Perceptibly Mahmud had originally intended going to Karachi via Lahore but readily agreed to change his plans. He further suggested that it might be useful if his Government could later send a special emissary to Mr Jinnah or could receive a Pakistan representative in Kabul to discuss all matters of mutual interest. Afghan pride has rightly or wrongly been very hurt at Government of India's refusal to receive their proposed mission. I hope I have not exceeded my authority in encouraging Prime Minister to visit Delhi but provided always that he maintains his present reasonable attitude this seems to me to offer greatest hope for satisfactory settlement. It inevitably involves withdrawal by Afghanistan but enables this to be done without too

much loss of face. It might also be of help to new Pakistan if Mr. Jinnah sees Afghan Prime Minister personally. If H.E. the Viceroy could also see him and perhaps show some hospitality I feel confident that it should be possible to bring Afghanistan and Pakistan together in fruitful co-operation.

Repeated to Secretary of State and North-West Frontier Province (copy by post to Baluchistan).

¹No. 132, *TP*, XII, 191-2.

²Not available in *QAP*.

³Appendix IV, 25, note 2.

⁴In his telegram of 20 July, Squire reported that the Afghan Prime Minister had kept his promise and stopped all radio propaganda since 15 July. Only one article had since appeared in the Afghan press which explained the difference between Pathans and Indians and demanded a reference to the UNO. See *JOR*, L/P&S/12/1812.

⁵Enclosure 1 to No. 1.

⁶See No. 201.

IV. 25

*Government of India, External Affairs and
Commonwealth Relations Department to
the Earl of Listowel*

Telegram, L/P&S/12/1812¹

IMMEDIATE
No. 5574

NEW DELHI,
16 July 1947, 11.55 pm
Received: 16 July, 11.40 pm

Katodon 62.² Future of North-West Frontier Province. In view of our earlier refusal to accept anything in nature of an (? Afghan) Mission we see no reason to request American Minister to suggest to Afghan Government that they should send a suitable emissary to discuss whole matter with Viceroy or any Indian political leaders. Any such suggestion can only create impression on Afghans that their claim to voice in future status of frontier areas is still open to discussion.³

Repeated to H.M.M. Kabul, No. 162, Government of the North-West Frontier Province, Peshawar, Indian Embassy, Washington (copies by post to U.K. High Commissioner and Baluchistan).

¹No. 142, *TP*, XII, 200.

²In his tel. 62 of 13 July Squire reported that the American Minister in Kabul had informed him that neither he nor the State Department were at present willing to give any advice to the Afghan Government except to suggest that they should send a suitable emissary to discuss the whole matter with the Viceroy. Squire added that Shah Mahmud (the Afghan

Prime Minister) expected to leave for America by air in the next fortnight and he (Squire) agreed that if he could stop *en route* in Delhi and see the Viceroy and Jinnah this might help. IOR, L/P&S/12/1812.

¹In tel. 68 of 17 July the Secretary of State for Foreign Affairs commented that H.M.G. agreed that a misleading impression might be created if the Government of India were to initiate a suggestion that an Afghan emissary should specially visit Delhi. He pointed out, however, that this would not arise since the Afghan Prime Minister planned to pass through Delhi in any case, and added that "H.M.G. would see some advantage in personal contact with Shah Mahmud at this juncture". IOR, L/P&S/12/1812.

IV. 26

*Government of India, External Affairs and
Commonwealth Relations Department to
Giles Squire*

*Telegram, L/P&S/12/1812
[Extract]¹*

IMMEDIATE

NEW DELHI,

19 July 1947, 11.20 pm

Received in India Office: 20 July, 00.35 am

No. 166.² Katodon No. 64³ and Forminka No. 68.⁴ Future of North-West Frontier Province.

2. In view of Shah Mahmud's more reasonable attitude and on the understanding that he will not in any sense be regarded or treated as an official emissary of Afghan Government, Government of India agree that there might be advantage in establishing informal personal contacts with him at Delhi and are prepared to facilitate these.⁵

¹No. 177, TP, XII, 266.

²Repeated to Secretary of State for India as tel. 5702.

³Appendix IV, 24.

⁴Appendix IV, 25, note 3.

⁵Annex.

Annex to No. IV. 26

Henry Grady to George Marshall

Telegram, U.S. National Archives, 845.00/7-2247

SECRET
No. 556

AMERICAN EMBASSY,
NEW DELHI,

22 July [1947], 2 pm

Received: 22 July, 8.50 pm

One. Foreign Secretary Crichton told Weil¹ yesterday that in conversation with Squire few days ago Shah Mahmud had taken "quite a reasonable view"² and it had been arranged that while *en route* to US this week Mahmud would stop in Delhi³ unofficially for talks with political leaders including Jinnah and to dine with Viceroy. Mahmud expected be in Delhi only overnight. Crichton hopes Jinnah will not take haughty attitude but will mollify Mahmud by assuring him of Pakistan's full cooperation, mentioning port facilities at Karachi (which Afghans have had all along), etc., in such a way that Mahmud will be able inform his government that recent agitation has borne fruit and may be discontinued.

Crichton somewhat concerned whether—in view confusion reigning in Delhi and shortness of Mahmud's visit—things would work out as hoped. Crichton has briefed Ikramullah who took office yesterday as Foreign Secretary in Pakistan Provisional Government; Ikramullah will endeavour brief Liaquat Ali Khan, member for External Affairs,⁴ who in turn will presumably pass on background to Jinnah. Whether Jinnah will use appropriate psychological approach to Mahmud remains to be seen.

Two. When asked whether any possible tie-up between Abdul Rahim⁵ and Abdul Ghaffar Khan in campaign for Pathanistan, Crichton admitted in strictest confidence in view of Rahim's past record he had wondered about this possibility but had no evidence. Said Rahim might even have encouraged Najibullah⁶ and other supporters of Afghan claims, but that if Rahim had done this in hope of pleasing Congress he might regret it, for Congress High Command except Gandhi opposed to agitation for independent Pathanistan. Furthermore Rahim's home Peshawar, where eventually a League group is almost sure to have control.

Three. Regarding referendum Crichton suggested pro-Pakistan vote⁷ presented larger percentage of voters than published figures would indicate because reason believe electoral rolls had been extensively padded by Congress prior to last general election. Nevertheless he did

not believe Ghaffar Khan had abandoned hope of retaining control of Ministry, for as long as he held power in province he could demand money from Congress. Impossible say whether Khan Sahib Ministry will now resign or governor will appoint new Ministry. Crichton finds it hard believe regardless of what happens that Pathans will kill each other on large-scale for political domination of province.

Four. Crichton still thinks Afghan representations result of desire to force issue on claims made in past negotiations with British and wish to divert attention from internal problems. Crichton's earlier references to food problem had to do with reported failure certain long term programs rather than immediate situation. He may not have heard of improvement in cloth supply (Kabul's 164 to Department repeated Delhi 37). Crichton still unable discover any evidence USSR involvement in agitation. Believed Afghans too afraid of USSR to accept such support and doubts USSR ready at this time to exert pressure in this direction.

Sent Department repeated Kabul 39

Please repeat London

GRADY

Note: Repeated to London 7/23/47, 1.30 a.m.

¹T. Eliot Weil, Second Secretary, American Embassy, New Delhi.

²Appendix IV. 24, para 3.

³See Appendix IV. 27, note 7.

⁴Liaquat Ali Khan was allocated the portfolios of Finance, External Affairs, Commonwealth Relations and Defence in the provisional Government of Pakistan. See No. 173, TP, XII, 261-2.

⁵Not identified.

⁶An official of the Afghan Foreign Office.

⁷For referendum results, see No. 201.

IV. 27

The Earl of Listowel to Louis Mountbatten

Telegram, L/P&S/12/1812¹

IMPORTANT
No. 9386

INDIA OFFICE,
21 July 1947, 7.30 pm

Please see Kabul telegram dated 11th July No. 60² and paragraphs 1 and 2 of Squire's No. 64.³ Tribal Agreements.

2. It is obvious that in view of Section 7(i) (c) of Indian Independence

Act⁴ no formal assurances could be given to the Afghans that existing agreements will continue to be honoured. Now, however, that N.W.F.P. is to be included in Pakistan there would be clear advantage in approach being made as soon as possible on behalf of provisional Government to the tribes on lines corresponding to negotiations now being undertaken with the Indian States, with a view to making provisional arrangements pending a formal settlement of future relations.

3. Anything that implies continuity of policy will have a stabilising effect (c.f. paragraph 10 of Lockhart's letter of 6th July⁵) and would be all to the good.

4. I am very glad to see from E.A. and C.R.D. telegram No. 5702⁶ that your Govt. have agreed to informal contacts with Shah Mahmud. I hope Jinnah can give him some comforting reassurance as to future relations between Pakistan and Afghanistan.⁷

Repeated by Secretary of State, Foreign Affairs, India Office to H.M.M. Kabul.

¹No. 198, *TP*, XII, 288-9.

²In this telegram Squire had enquired whether, in order to allay Afghan anxieties, it would be possible to assure them that existing tribal agreements for the Khyber Pass would remain valid after 15 August until either denounced or revised. *IOR*, L/ P & S/12/1812.

³Appendix IV, 24

⁴Enclosure 1 to No. 1.

⁵In para 10 of his letter No. GH-109 of 6 July to Mountbatten, Lockhart stated that he did not have enough information about future policy as regards tribes and that the tribes themselves and officials in the N.W.F.P. were anxious to know what the position of the former would be when power passed to the new Dominions. Although they were holding back, Lockhart thought that most of the tribes were pro-Muslim League. He added: "All the tribes are however realistic. What they want is to secure their economic life, i.e. they wish the present expenditure on Scouts, khassadars, roads, building etc. and allowances to continue". *IOR*, *Mountbatten Papers*.

⁶Appendix IV, 26, note 2.

⁷In tel. 2935-S of 25 July Mountbatten reported to Listowel that the Afghan Prime Minister had passed through Delhi the previous day without stopping, and did not see Jinnah. The Pakistan Cabinet were considering what action to take regarding the tribes. *IOR*, L/P& S/12/1812.

IV. 28

Rob Lockhart to Louis Mountbatten

IOR, L/P & J/5/224

SECRET
No. GH-135

[GOVERNMENT HOUSE,
PESHAWAR],
23 July 1947

I thank your Excellency very much indeed for your kind telegram

of congratulations on the peaceful outcome of the Referendum. It has gone off more smoothly than I expected when I wrote my last fortnightly letter. Great credit is certainly due to Booth for his handling of the problem. My Secretary has written to Scott,¹ at his request, about Booth's work, and I understand that you are thinking of Sending Booth a note of appreciation. I have written to the Senior Military Supervisors, the Military Commanders and the heads of the other departments concerned, and have passed on your congratulations, which they will I know much appreciate. I must say that they fully deserve them, for the co-operation of all Services was unstinted. I was particularly impressed by the careful and effective measures taken by the Deputy Commissioners and the Police, on whom, of course, the real responsibility for preserving law and order continued to rest.

*[Paras 2 to 4 omitted]*²

POST-REFERENDUM PROBLEM

5. It is the future which is now exercising everybody's minds. I have had talks with numerous people (officials as well as leaders of the political parties and my Ministers).

The Muslim League are, I think, genuinely anxious about the intentions of the Congress Party. They believe that the Congress intend to stage a civil disobedience movement.

A deputation of 5 local League leaders³ came to see me on Sunday (July 20th). They made the usual accusations against the Congress Party and the Zalmi Pakhtun, and urged me to dismiss the Ministry, to resort to Section 93, to take immediate action to disarm the Zalmi Pakhtun, generally to render the Congress Party incapable of sabotaging the administration of the Province before 15th August, and so ensure that Pakistan would have a fair start on that date.

I told them that decisions as to what action would be taken as a result of the Referendum would have to come from you.

6. There are I think good grounds to suppose that the Congress Party do intend to stage a movement, and that this movement may be violent. Many reliable people are sure of it. Most significant of all is that Dr. Khan Sahib, who came to see me on 21st July, practically admitted that a movement which might result in violence was likely.

Dr. Khan Sahib was not at all excited and spoke quietly. He said that the people would resent the dismissal of his Ministry, dislike intensely a minority League Ministry, and like little more government under Section 93. He repeated that he would only resign if assured that a General Election would be held in the reasonably near future. He agreed that such an election could only be held under the new

Pakistan Constitution and after new electoral rolls had been prepared. He expressed his and his party's apprehension that the Pakistan Government would not hold elections soon, but govern the Province for some time to come by Ordinances or something similar.

7. Both parties are indulging in much propaganda; the League's is to the effect that the Congress are going to turn violent; the Congress and Red Shirts are being provocative and threatening, and preaching Pathanistan and the need to fight for it. There is great tension and feelings are being worked up. Congress have perhaps some reason to fear victimisation.

It is possible that all this is bluff and part of a war of nerves. But the risk is there. When a movement would be launched I can't yet say. It might be soon; they may wait till 15th August or even until after the *Roza* [Ramadan].

We have warned Deputy Commissioners and the Area Commander^d [Peshawar] here that they must be vigilant and ready to reimpose precautions at once. The Ordinances remain in force and in Peshawar, which is I think the danger spot (the rest of the Province will behave if we can keep Peshawar quiet), certain prohibitory orders under Section 144 have been imposed. The coming reduction in troops is disturbing in the present circumstances.

8. As regards the formation of a League Minority Ministry, the local leaders don't seem at all keen on the idea; they say because they do not command a majority in the Legislative Assembly. I am however not at all sure that it isn't because there are so many dissensions amongst them that they cannot agree who should be Ministers!

9. No more has been said about a compromise between the two parties. I gather that Jinnah would not be willing to consider it. Abdul Ghaffar Khan is, however, Dr. Khan Sahib says, still willing to go to Delhi to discuss the possibility with Mr. Jinnah.

10. The Faqir of Ipi has been attracting even more local attention than usual lately,⁵ and I think it likely that he may come into the open after the *Id*. For some months Ipi has been collecting the thumb impressions of tribesmen for an unspecified purpose, and latterly there have been many reports that he contemplates declaring himself *Amir* of Waziristan—there have even been reports of a sort of rehearsal ceremony. Ipi, of course, has always been a good friend of Congress, who have given him liberal financial support, and he did his best to dissuade his followers in the Bannu District⁶ from voting in the Referendum. He will naturally seek to enhance his political power when British control is withdrawn, and, provided his old allies continue to be generous, he would probably be quite ready to make things difficult for Pakistan by creating as much

disturbance as possible. Ipi and his lieutenants have lately been very active politically, and he could certainly raise a large following in North Waziristan. The Mahsuds on the whole have hitherto been unresponsive to his blandishments, but were he to "start a party" which offered good prospects of, say, looting Bannu, the Mahsuds would be in quick enough. The Muslim League leaders in the Province were definitely worried about this possibility, and they spoke of it when I saw them on Sunday. I repeat that I do not expect any large-scale disturbance during the *Ramzan*, but the period immediately following the 'Id is always a ticklish time in Waziristan, and "after the 'Id" combined with the demission of British control is, I think, more than likely to produce fireworks.

11. I have already written to Your Excellency, in continuation of Caroe's letters, drawing attention to the vital necessity of continuing in force the present treaties and agreements both with the tribes and with the Frontier States.⁷ I know that this question must be handled by the Pakistan Government, but I hope you will be able to persuade them to give it first priority, because it is on these treaties and agreements that the whole of our transborder administration is based.

The continuance of the existing agreements—of course, be only temporary, since it will be necessary to implement Your Excellency's assurance to the Afridis and other tribes that they will be free to negotiate new agreements with the successor Government, and I trust that in this matter the Pakistan Government will consult G.H.Q.

12. We have heard nothing hitherto about the division of All-India Radio.⁸ As a medium of political thought it has hitherto had but one colour, and I noticed that the only A.I.R. commentary on the Referendum result was an announcement to the effect that Dr. Khan Sahib considered that the whole proceeding was a trick played on the Frontier Congress, and that it proved nothing.

13. The question of what is to become of the Churches, and of the memorial tablets, etc., in the Churches, has been worrying me, and is one on which Your Excellency can, perhaps, give me a lead. With the departure of British troops there will be no *raison d'être* for the big Garrison Churches such as St. John's in Peshawar, and there are many others which I cannot but think will fall into disrepair. The Chaplains know nothing of what is proposed.

If Churches are to be pulled down we should know before we leave so that we may at least formulate some plan for salving the memorials and sending them either to the United Kingdom or to other Churches in India which are to be maintained.

14. We now know pretty well how we stand as regards officers of the Secretary of State's Services. Of the I.P.S./I.C.S., 9 (including the 4

Indians) mean to serve on indefinitely, 9 are prepared to remain for a limited period, and 7 are retiring on or before 15th August. Of the Indian Police, 7 including 4 Indians) will continue to serve, 6 will remain for a limited period, and 3 are retiring on or before 15th August. One, a Hindu, has asked for a transfer to the Eastern Punjab.

The cadres of the other Services are very small, but enough will remain, at least temporarily, to continue the administration, though we expect to be hard up for doctors.

15. The food situation in the Province is causing some anxiety, as owing to Bahawalpur defaulting on a large quota and delays in releases from the Punjab our stocks in Peshawar a few days ago were down to about a week's supply. As a result of a personal request to Jenkins the Punjab have now agreed to expedite their quota, and I hope the immediate crisis will be tided over. The future of our food supplies is very obscure as I understand the Punjab have no surplus wheat this year, while Sind have already exported their surplus against promises from the future Government of India of repayment during the winter from overseas imports. We should be able to get our share of these from the Pakistan Government in due course, but in the meantime the Province must be fed, and we have no information yet of any quotas for August or September, nor do we know to whom we should look for them. Local procurement of wheat is negligible so far, largely due to the non-co-operation of the Muslim League. I hope it may improve now that the Referendum is over and the result announced, but they will have to be quick about it.

Yours sincerely,
R. M. M. LOCKHART

¹I. D. Scott, Deputy Private Secretary to the Viceroy.

²See Annex II to No. 79.

³There was a growing demand that the Khan Brothers accept the verdict of the referendum instead of indulging in provocative activities. See Annexes I and II. Those who met the Governor were Khan Samin Jan Khan, President, Frontier ML; Khan Abdul Qaiyum Khan, Leader of the Opposition in the Frontier Assembly; Khan Muhammad Ali Khan, Secretary, Frontier ML; Habibullah Khan, Secretary, ML Parliamentary Party; and Khan Ghulam Mohammad Khan. See the *Pakistan Times*, 22 July 1947. They also flew to Delhi and met Jinnah on 22 July 1947. See *Dawn*, 23 July 1947.

⁴R. C. McCay.

⁵For reports of Ipi's activities in Frontier Tribal Areas, see Nos. 183 and 229.

⁶For referendum results relating to constituencies of Bannu District, see Enclosure to Annex III to No. 79.

⁷The Steering Committee had earlier recommended that copies of Agreements and Conventions available with the Department of External Affairs and Commonwealth Relations be supplied to the Pakistan Government. The recommendation was approved by the Partition Council on 29 July. See F. 127/532-87, QAP. Not printed. Also see F. 723/177, *ibid.* Not printed.

⁸See Enclosure 1 to No. 121, Vol. II, 276.

*Annex I to IV. 28*THE FRONTIER¹

The sands of time are running out for the Congress in the Frontier Province as each day brings nearer the establishment of Pakistan. The announcement of the June 3 Plan,² giving Pathans the right to decide their own future sounded the death knell of this clique, tied in perpetuity to the apron strings of the Congress High Command. Forced to face the people, the Khan Brothers, aided and abetted by the Hindu Press and Hindu Congress leaders, started a campaign of throwing dust in the eyes of their countrymen. To confuse the issue, the slogan of Pathanistan was raised. It meant nothing more than an attempt to go into Hindustan by the back-door—a miserable trick which failed miserably. The thousands of Pathans who voted in the Green box knew exactly what they were voting for. The Congress boycott slogan was an admission of defeat even before the battle began. The boycott, however, was only a technical boycott: the Congress campaigned for all it was worth; its propaganda lorries chased each other round the country-side, its leaders raved and ranted; the heavily armed “non-violent” Red Shirts paraded through town and country—only the Congress would not ask for votes in the Red box for the very simple reason that it could not get very many. The tactics of the Khan group have since become more frenzied and more intricate. Abdul Ghaffar Khan is active again on the bargaining front. His son Abdul Ghani Khan breathes fire and thunder and plays at soldiers with his Zalmi Pakhtun. Dr. Khan proclaims that only Pathans will move him out of his ministerial chair. What is all this pother about? The Pathan verdict will soon be known, their representatives will draw up the future constitution and they will elect the persons to rule them. Why then the secret parleys, the threats of violence and the “stay-in-strikes”? If Abdul Ghaffar has genuine fears at the hands of Punjabis and Sindhis, which he never had at the hands of Marwaris, he should inform the world what they are. If his fears are for Pathan rights and interests and not for the self-created privileges and interests of the Khan Brothers, then let these be tested on the anvil of public opinion. While the father is engaged in peace parleys, the swash-buckling son shouts: *Talwar se lainge Pathanistan*. From whom is this miserable Sancho going to take Pathanistan when Pathans rule the land? The mental state of the impulsive Dr. Khan is even more pitiable; every time he opens his mouth he contradicts himself. He promised to resign if 30 per cent of the electorate voted for Pakistan; since a much greater number have done so, he changes his tune and says he will stay in office and the Pathans

alone can remove him. He further said that even if all his Khudai Khidmatgars joined Pakistan he would not. A fall from power is always pathetic but it need not always be undignified. Dr. Khan Sahib could still salvage both his dignity and his patriotism if he reconciled himself to the verdict of his people instead of trying to sow the seeds of civil war among them by provocative disruption.

¹The *Pakistan Times*, 19 July 1947.

²No. 1, Vol. II, 1-6.

Annex II to IV. 28
Rob Lockhart to Louis Mountbatten

IOR, L/P&J/S/224

SECRET/PERSONAL
No. GH-109

GOVERNMENT HOUSE,
PESHAWAR,
6 July 1947

Dear Lord Mountbatten,

I had hoped to send you an interim report before this letter was due, but various pre-occupations have prevented my doing so.

2. I arrived on 24th June, and took over on the morning of the 26th.

Caroe¹ gave me a very good hand-over, and left on 26th for Kashmir via Rawalpindi, Nathiagali and Murree.

Incidentally it appears that by taking leave in India he suffers financially. I am sure that Your Excellency was not aware of this when you sanctioned his leave, and that you certainly never intended that he should be financially penalised. Caroe has written officially about it too, but you may care to ask what is being done.

3. Your Excellency is aware of the general situation in this Province—he decline of law and order; the existence of all these private armies; the large number of arms; the suspicion and hostility between the leaders of the two parties; the feeling in some officials' minds that there was little use in taking action to enforce the law.

In accordance with your instructions I deemed it my first duty to establish personal contacts and to seek to enlist the co-operation of all concerned.

4. I have had talks with several leaders of the Muslim League, including Abdul Qaiyum, M.L.A., Leader of the Muslim League Party in the Provincial Assembly, Malik Firoz Khan Noon,² and Mr. I. I. Chundrigar, M.L.A. and Hon'ble Member for Commerce in the Interim Government.

The last named, as you no doubt know, is the head of a party of four deputed by Mr. Jinnah to organise the Muslim League campaign for the Referendum.

5. I have also had discussions with Dr. Khan Sahib, the local Area Commander,³ the Referendum Commissioner—Booth—most of the local senior officials, and also several of the Deputy Commissioners and Political Agents whom I got in to Peshawar on 26th June.

I have held a Council Meeting (on 28th June) and a press conference. I also saw a number of British newspapermen on Saturday. The Referendum is evidently news for the moment.

On Friday, 4th, I visited Miranshah and met the Resident in Waziristan;⁴ Political Agent, North Waziristan,⁵ and Deputy Commissioner, Bannu.⁶

6. THE REFERENDUM

The position is as follows:

Booth, the Referendum Commissioner, has buttoned up his plans and Military aid and precautions have been arranged. I think he has done well in the time and in the circumstances, i.e. having to work through somewhat inferior executive subordinates.

Electioneering is in full swing. Frequent meetings have been and are being held. Some have been very large. At most of these meetings arms have been carried by both sides and usually a few shots fired—generally in the air. Leaders have appealed for peace and orders to prohibit the carriage of arms at meetings have been issued. While some leaders have appealed for good behaviour, some responsible leaders have made most provocative speeches.

(a). *The Congress Party*⁷ at meetings keep re-affirming their intention to abstain from voting. The leaders also, publicly, have been and are instructing their followers to be peaceful.

Nevertheless I would not altogether rule out the possibility of their deciding at the last minute to participate in the Referendum, although I think it is unlikely.

I am however sure that secretly they are planning to interfere with the Referendum by intimidating would-be voters and by obstructing the polls. I have warned the General Officer Commanding, Peshawar Area, and instructed Deputy Commissioners to make plans to deal with this.

The Congress Party continues to preach Pathanistan on every possible occasion. My efforts to persuade my Ministers that this was wrong have failed.

(b). *The Muslim League* are being very active. Their leaders have expressed to me their anxiety lest the Congress Party do decide to

participate in the Referendum, and also over probable intimidation and obstruction by the Congress Party. These last [*sic*] they consider to be certain.

(c). The arms position is most unsatisfactory. There is no doubt that both sides possess large numbers of weapons, many of them unlicensed. I have decided against any attempt fully to enforce the law at this stage. Orders just issued only prohibit the carrying of arms within 1000 yards of any polling station. I have directed Deputy Commissioners to consider issuing orders under Section 144 of the Indian Penal Code prohibiting the carrying of arms at meetings and in processions. Some Deputy Commissioners have already issued orders to this effect. In Peshawar meetings in the City have been forbidden, and orders have been issued that processions may only be taken out in accordance with the Police Act, i.e. permission must be obtained and the route prescribed.

(d). There was some delay in issuing the poster⁸ which Your Excellency initiated, but it went out by special messengers on the 3rd. It is also being broadcast on the wireless daily. What looked like a deliberate attempt at sabotage came to light on Saturday, 5th, when it was discovered that in certain copies of the poster the word "Hindustan" had been omitted from the notice over the red sign. The implication of this is that the notice can now be taken to mean that "if you want the N.W.F.P. to have its own Assembly put your paper in the red box".

Action is being taken to explain the mistake and to bring those responsible for it to book.

(e). The areas where trouble is considered most likely are:

Peshawar City,
Charsadda Tehsil,
Mardan District.

I have issued instructions that action must be firm and prompt at the first signs of any trouble. I also got Dr. Khan Sahib and Abdul Qaiyum (Leader of the Opposition) to join me in a joint appeal for good behaviour.

I had hoped to get Abdul Ghaffar Khan and the Pir of Manki Sharif (Muslim League) to attend the meeting, but this failed.

Time did not admit of my trying to get them to sign the joint appeal.

The appeal and more copies of the poster are being dropped by aircraft on villages in the next two days. I don't know who is to pay for the aircraft!

I hope therefore that there is a reasonable chance that the Referendum will pass off without any really serious trouble.

(f). I am a little anxious about a big procession the Red Shirts are

taking out to-day to celebrate Pathanistan Day and another which the League take out tomorrow.

I decided after careful consideration not to ban processions: crowds going to and from meetings are more easily controlled if in procession.

(g). I am also slightly concerned lest anyone queries the legality of the Referendum. One paper a day or two ago stated that it is illegal.

7. ARMS AND LAW AND ORDER

(a). There is no doubt that most improper things have been happening. Certain people have been issuing instructions for licenses to be given to individuals who should not have arms. Rifles for village defence have been issued on a party basis. Even Dr. Khan Sahib himself is said to be guilty on these scores. A prime offender in the arms racket is Abdul Ghani, the son of Khan Abdul Ghaffar Khan. I have given orders that if proof can be produced he is to be proceeded against. There are reports that the Nawab of Tank, M.L.A., Muslim Leaguer,⁹ is also guilty of similar practises. If he too could be proceeded against it would be to the good: to arrest a prominent leader of each party would, I think, have a beneficial effect.

Incidentally, I was surprised to hear that, except in the Peshawar District, the Ghazi Pakhtun outnumber the Zalmai Pakhtun.

(b). As regards law and order, here again the position is far from satisfactory. There are reports that Ministers, including Dr. Khan Sahib, have been and are ordering prosecutions to be dropped and individuals who should be kept under arrest to be released on bail. It is difficult to get proof of this.

(c). There is little doubt that in speeches speakers on both sides have been threatening victimisation of members of the opposing party. I have asked Dr. Khan Sahib and the League leaders to appeal to their followers to desist from this.

I am doing what I can by appeals to discourage all this. In time I hope Government will be strong enough to put matters right.

8. AFTER THE REFERENDUM

I am much concerned about what is going to happen when the result of the Referendum is declared. I am however writing separately to Your Excellency about this.

9. AFGHAN INTERFERENCE

I am afraid my telegram No. 241-CB of 29th June¹⁰ was premature. I had not then seen the previous correspondence on the subject of Afghan interest in the future of the N.W.F.P., and so had not realised that they had raised the question as far back as 1944, or as recently as April

1947.¹¹

Nevertheless I still think there may be some connection between their raising the subject at this moment and the visit of Abdul Ghaffar Khan to Kabul last August and the Congress generally.

I was glad to see H.M.G.'s firm reply. The situation will need watching. There are no signs at present of our tribes being affected.

I wired to you about Sardar Faiz Muhammad's performance¹² at Jamrud on his way to Kabul. Perhaps after the firm answer given by H.M.G. to the Afghan request to interfere in the Referendum it was unnecessary to bother about the Faiz incident, especially as he is rather a buffoon.

However, I thought I better not let it pass.

10. THE TRIBAL AREAS

I feel that I have not enough information about future policy as regards tribes and the defence of this frontier.

What is to be the position *vis-a-vis* the tribes when power passes to the new Dominions? The tribes and our officials are anxious to know.

As regards defence, here again Political Agents and Scout Officers are anxious to know what the future is to be. Are H.M.G. and Hindustan going to be involved? To me it seems that they must be vitally interested in the security of the North-West Frontier.

Meanwhile the tribes themselves are holding back. Most of them are, I think, pro-Muslim League. Some speak of an independent Waziristan under the leadership of Ipi. There has been one report that Ipi himself would not accept the leadership, but would bring in a leader from outside; the name of ex-King Amanullah has been suggested!

All the tribes are however realistic. What they want is to secure their economic life, i.e. they wish the present expenditure on Scouts, *Khassadars*, roads, buildings, etc., and allowances to continue. Apropos of this I am trying to get the actual details of expenditure published. The amount spent on tribal allowances is only a fraction of the whole, a mere 9 lakh out of 4½ crore.

I shall be very grateful for any indication Your Excellency can give me about future policy.

The Resident of Waziristan is most anxious that there should be no withdrawal of troops from Waziristan. Apropos of this we have been wondering whether Gurkha units are, in the reshuffle of the Army, to be treated as Hindu regiments or foreign troops available for Pakistan. Has this been decided?

There is one other point. Mallam, Revenue Commissioner, has offered to serve on as an Adviser on Tribal Affairs to the Pakistan Government. I have forwarded his application, and suggested that he

be employed on any Committee set up to consider the tribal problem.

11. DR. KHAN SAHIB

I have seen him several times. I feel that, as Your Excellency I am sure already know, he is not his own master. He has more or less told me so in private. For one thing he does not personally believe in Pathanistan. He is being friendly and I will try to carry him with me. He assures me that there will be no serious trouble during the Referendum, and that his, i.e. the Congress Party followers and Red Shirts will obey his orders to behave.

12. ARMY OFFICERS

I do hope something will come out very soon about the future of Army officers under the new circumstances. Those in the Civil Armed Forces are affected. The appointment of Indians is affected, especially of Commandants of Scouts. Incidentally I was not impressed by the I.C.O.s¹³ who have joined the Tochi Scouts. I assume that the statement in the press that Army officers will not be compelled to serve with either Dominion applies equally to Scout officers?

13. FUTURE OF BRITISH CIVIL OFFICIALS

The results of the enquiries as to the willingness or otherwise of officers to continue to serve after 15th August are not yet known. Officers are however very anxious to know what the conditions of service will be if they stay.

Apropos of this I see that Mudie¹⁴ in his fortnightly letter dated 26th June said he thought that officers contracting to serve under Pakistan should still get compensation. I entirely agree with him.

14. FINANCIAL AND FOOD POSITION

Neither the financial nor the food positions are satisfactory, but I will write separately about these. I am seeing my Finance Minister¹⁵ on Monday.

15. MISCELLANEOUS

This letter is I fear too long. I felt however that you would want to know what I had been doing and how I viewed the situation.

We have had some cooler days, but on the whole it has been hot.

May I take this opportunity of thanking Your Excellency very much for your very kind telegram of good wishes.¹⁶

Yours sincerely,
R. M. M. LOCKHART

LATER: 7TH JULY 1947

- PS. 1. The Congress Pathanistan meeting yesterday, Sunday, passed off quietly. The crowd was about 10,000 of whom 3000 to 4000 are said to have come armed, but they deposited their weapons some distance from the meeting. Proceedings were orderly. I personally met a few local inhabitants on their way back from the meeting. They were cheerful and polite.
2. We were very glad indeed to get P.S.V.'s telegram¹⁷ last night with Gandhi's letter to Abdul Ghaffar Khan. I am most grateful for your successful intervention.

¹Caroe was replaced as Governor of NWFP at the behest of Frontier Congress. See No. 96, *TP*, XI, 172-3. Also see Appendix X. 2, para 33, Vol. II, 943.

²A Muslim League MLA from the Punjab.

³See Appendix IV. 28, note 4.

⁴Lt. Col. Kenneth Packman.

⁵Duncan Murray.

⁶Not traced.

⁷Underlined here and subsequently in the original.

⁸See No. 284, Vol. II, 543-5.

⁹Nawab Qutabuddin Khan of Tank.

¹⁰Not traced.

¹¹See Appendix IV.7.

¹²See No. 41.

¹³Indian Commissioned Officers.

¹⁴Governor of Sind.

¹⁵Mehr Chand Khanna.

¹⁶Not traced.

¹⁷George Abell sent to Courtenay Latimer, Secretary to Governor NWFP, the text of Gandhi's letter to Ghaffar Khan advising that the Khudai Khidmatgars should avoid every occasion for clash with the Leaguers arguing that a boycott of the referendum by bulk of Pathans would constitute a moral defeat for Pakistanis. See No. 541, *TP*, XI, 943-4.

APPENDIX V

VICEROY'S INTERVIEWS WITH JINNAH AND OTHER LEADERS

V.1

RECORD OF INTERVIEW BETWEEN LOUIS MOUNTBATTEN
AND M. A. JINNAH¹*Mountbatten Papers, Viceroy's Interview No. 156**5 July 1947*

Mr Jinnah came to see me at 6.30 p.m.

I told him that I had had a letter from Dr Ingram² asking whether he (Mr Jinnah) would be prepared to denounce the Poona Pact³ as far as Pakistan was concerned.

2. Mr Jinnah said that he intended to see that the Scheduled Castes in Pakistan received really fair treatment⁴ and that the Poona Pact as such would certainly not operate in Pakistan. However, he could not give me any details as to what the future position of the Scheduled Castes would exactly be until the Constituent Assembly had discussed the matter.

3. I asked him whether he would like me to submit his name to the King to receive the customary GCMG bestowed on Governors-General on appointment in the Dominions. I also pointed out to him the desirability of reopening to citizens of Pakistan eligibility for decorations. I added that the Orders of the Star of India and of the Indian Empire would, in their very names, be unsuitable; but that the Order of St Michael and St George, which was the customary Order for the Dominions, appeared to me to be eminently suitable. I promised to convey his views on this subject to H. M. Government. He thanked me and said he would like to consider the matter carefully before letting me have an answer.

4. I asked him whether he still wished me to be the Chairman of the Joint Defence Committee⁵ if I remained as Governor-General of the Dominion of India; and he confirmed that this was what he wanted. I asked him to let me have a letter to this effect. He promised to send me such a letter.

5. I next asked him whether he had made up his mind about the Dominions flag and whether he liked the design I had sent him.⁶ I pointed out that the Union Jack in the upper canton was only one-ninth of the whole area instead of one quarter as in the case of the other Dominions. I also told him that I thought the Congress were likely to agree to a similar flag though it was not yet settled. He promised to let me know in good time to have a flag made before the 15th August.

6. I asked him whether he would like me to come down on the 14th August for a farewell ceremony at Karachi, since the Pakistan areas would pass out of my control on the 15th. He said this would give him great pleasure. I promised to go into the details and discuss them with him later.

7. I asked him when and where he was going to call the Constituent Assembly for Pakistan,⁷ and he said probably in Karachi at the end of July or beginning of August. We agreed that it was my responsibility to call the Constituent Assembly and he said he would let me know when he wished me to do so.

8. I discussed with him the names of suitable candidates to be Heads of the Defence Services in Pakistan.⁸ He said he wanted all three to be British and would like me to provide him with some more particulars of the alternative candidates and possibly to give him an opportunity of seeing the candidates. I promised to do this.

9. He handed me a telegram⁹ addressed to the Prime Minister and the Leader of the Opposition, protesting against the exclusion of the Andamans from the Bill.¹⁰ I promised to transmit this. He said he would have a further protest to make on there having been no provision of machinery to ensure that the assets were fairly divided and that their transfer was correctly implemented.

10. I told him that I had been informed that he had recently sent a letter to the Maharaja of Kashmir¹¹ urging him to join the Pakistan Constituent Assembly and promising him every sort of favourable treatment if he would do so including the continuation of autocratic government within the State. He absolutely denied having written and said that what was more he had no intention of writing, though he would have liked an opportunity to discuss matters with the Prime Minister, Mr Kak, next time he came to Delhi. I told him I would ask the Political Department to put him in touch with him when he arrived about the 25th July.

11. We discussed the reconstitution of the Interim Government. I reminded him that the only way I could get Congress to accept partition was to undertake to reconstitute the Government along the lines that Mr Jinnah had himself accepted for Bengal, at the earliest possible moment. I pointed out that the earliest possible moment had been June 4, but that I had persuaded Congress to wait one month. Now on the 4th July I had again succeeded in making them wait until the passage of the Bill; but I warned him that after July 20 I should be compelled to carry out the reconstitution, and that so far as I could see—as there would be less than four weeks left before partition was

complete and power transferred—this could be explained in a communique in such a manner that it would in no sense be derogatory to Pakistan. He still expressed his regret but did not seem to be completely against it.¹²

¹No. 533, TP, XI, 935-6.

²George Ingram was a Christian missionary in the United Provinces. His letter is not available in QAP.

³See No. 437, note 5, Vol. I, Part I, 780.

⁴See Annex to No. 210, Vol. II, 419-20. Also see Annex to Appendix VIII, 2.

⁵See Nos. 35 and 67.

⁶See No. 228, Vol. II, 444-5. Also see Appendix X, 3, para 40, *ibid.*, 955.

⁷Congress was opposed to the ML holding the session of the Pakistan Constituent Assembly at Delhi. See Enclosure 1 to No. 111, *ibid.*, 195.

⁸On 23 July Mountbatten sent to Jinnah names of persons considered suitable to be Heads of the Defence Services in Pakistan. See Nos. 224 and 241.

⁹See No. 36. Also see No. 536, TP, XI, 937.

¹⁰Enclosure 1 to No. 1.

¹¹Mountbatten had earlier asked Maharaja Hari Singh and Prime Minister Kak not to make any statement about independence of Jammu and Kashmir State. See Appendix VIII, 11, Vol. II, 909-10.

¹²Jinnah had already sent his objections on the reconstitution of the Government at the Centre and Bengal. See No. 311, *ibid.*, 589-94. Also see No. 6, Case No. PC/1/1/47.

V.2

RECORD OF INTERVIEW BETWEEN LOUIS MOUNTBATTEN AND M. A. JINNAH¹

Mountbatten Papers, Viceroy's Interview No. 162

12 July 1947, 6-7.50 p.m.

I discussed the Reconstitution of the Interim Government with him and gave him a copy of the draft communique.² He did not appear particularly grateful and said in his usual manner "I will consider this with my people". I pointed out the only alternative was the scheme I had previously described to him, of giving all portfolios to Congress and giving only a Shadow Cabinet to the Muslim League. He told me that he had considered this with his Members of the Executive Council and they had decided that they would in no circumstances co-operate with or even accept such a scheme. I pointed out to him how lucky he was that I had been able to find an alternative, as it was no longer in his power to prevent me putting through any scheme I liked under Clause 9 of the Bill.³ I informed him of my interview with the Hyderabad Delegation,⁴ and told him of the lines I was working on. He informed me that if Congress attempted to exert any pressure on Hyderabad, every Muslim throughout the whole of India, yes, all the hundred

million Muslims, would rise as one man to defend the oldest Muslim dynasty in India.

I pointed out that the Nizam need not fear any armed intervention since if he would not play at all with Congress, all they had to do was not to play with him, which could only end in the quiet disruption of the dynasty from within, without any opportunity being given to the hundred million Muslims to rise.

I discussed the policy to be adopted towards the States by the two Dominion Governments, and asked his concurrence to call a meeting with the Khan of Kalat on the 19th July,⁵ to put before him the proposition that he should adhere to Pakistan on the basis of the three central subjects—Defence, External Affairs and Communications.

He thanked me, said he would like to think this proposition over, and he would be glad to meet the Khan of Kalat after my meeting. I told him I intended to discuss the line Pakistan wished me to take up with the States with Sardar Nishtar in the coming week.

Mr. Jinnah then informed me that he was considering making Nishtar Governor of Baluchistan. I suggested that he should not take any such step until he had discussed the matter with Sir Conrad Corfield, on the basis of obtaining his advice as to whether a Pathan from the North-West Frontier like Nishtar, would be acceptable to the tribes of Baluchistan, and alternatively discussed which of the British political officers would be the most suitable to put there. I gave him a copy of the Secretary of State's telegram No. 8962, announcing the acceptance by Sir George Cunningham of the governorship of the N.W.F.P., subject to certain conditions.⁶ I asked him to let me know as soon as possible that he accepted the conditions.

I informed him that the Foreign Office had now authorised negotiations to begin with Lord Killearn,⁷ and that I had that day telegraphed him to Singapore to come and stay with me at Delhi to discuss the governorship of East Bengal and Sylhet with Mr. Jinnah.

I then handed Mr. Jinnah the original letter, D. O. 201 of the 11th July,⁸ from Vice-Admiral Miles, concerning candidates for the future Flag Officer, Royal Pakistan Navy. I invited Mr. Jinnah to send for Admiral Miles⁹ and discuss this letter with him, and if necessary, subsequently to arrange for the two officers concerned to come and see him. I asked him whether he had made up his mind about the Pakistan Dominion flag,¹⁰ and he told me that it was his great personal regret that he had been unable to find one single supporter for the idea of having a Union Jack in the upper canton of the Muslim League flag. He explained that it would be repugnant to the religious feelings of the

Muslims to have a flag with a Christian cross alongside the Crescent. I told him that so far as the Navy was concerned, I considered that they would have to fly the British Commonwealth white ensign at the ensign staff, but that they could fly their Pakistan flag (whether it had a Jack in it or not) at the Jack staff. I told him that this was the custom throughout the navies of the Commonwealth, and I hoped he would agree so that I could give Admiral Miles the necessary instructions. He replied "Certainly". He then raised with me the question of his G.C.M.G.,¹¹ and said that he had been surprised to find the strength of the opposition among his party to accepting this honour. He pointed out that the Muslim League had only recently passed a resolution¹² rejecting all British honours and that his followers considered that he would put himself in an impossible position if he now accepted a British honour.

He wished me to know how much he personally regretted this, and how much he hoped that the time would come in the not too distant future when he would be able to bring about a change of heart among his followers, and when not only he, but he hoped others in Pakistan who might have rendered distinguished service, would be prepared to accept British honours and decorations. I told him I would raise this with him again at a later date, wherever I might be. He then went on to say that although there might be these apparent rebuffs of the British, such as the Governor-General, the G.C.M.G., the flag, etc., they would find that Pakistan intended to be a loyal and permanent member of the Commonwealth whose friendly relations with the rest of the British Dominions would improve year by year, until all feeling of bitterness had passed and they could regard themselves as truly a member of the British family.

I asked him whether he would agree to fly the generally accepted flag of a Governor-General, namely a dark blue flag with the letters "Pakistan" in yellow and a yellow crown above, both for Government House and his car, and hoist in a warship if he went afloat. He said he would be honoured to do this and I undertook to supply him with his first flag.

(Note. The question of what flag the Governors in Pakistan are to fly, was not discussed but will require urgent consideration.)

I talked to him from the brief¹³ prepared by P.S.V. consequent on his visit to the Governor of the Punjab, and urged Mr. Jinnah to try for a settlement of the boundary difficulties out of court, with the Sikhs. He was not very hopeful, but said he was fully prepared to stick to his original promise to me to meet Giani Kartar Singh, and I undertook to

get in touch with the latter and arrange for his meeting with Mr. Jinnah.

*[Next three paras omitted]*¹⁴

Finally, I discussed with him the question of the King's signature. I told him that I had felt that he had acted rather ungraciously at the Partition Council¹⁵ in opposing the suggestion which I had put up and which had already been privately agreed to by the Congress Leaders. Namely, that the King should continue to sign "George R.I." after he had dropped the title "Emperor of India". Mr. Jinnah said that he was the last person to wish to dictate to His Majesty how he should sign his name and if the King elected to continue to sign his name "George R.I." no one in Pakistan would object. If, however, it was a question of asking Pakistan to agree to invite the King to continue with a legally incorrect signature, that was another matter and one on which he hoped I would not press him. We therefore mutually agreed that I would recall the Minutes of the Partition Council dealing with this matter and that I would inform the Congress Leaders what had occurred and suggest that they also take no further action and leave it to His Majesty to continue to sign in any way he pleased.

¹No. 82, TP, XII, 121-4.

²Annex I.

³Enclosure 1 to No. 1.

⁴See Enclosure to No. 178. Also see No. 61, TP, XII, 79-88.

⁵See Appendix VII. 13.

⁶See No. 120. Also see Nos. 136, 231 and 237.

⁷Special Commissioner for Britain in South East Asia from 1946. He declined the governorship of East Bengal for financial reasons. See No. 478, note 3, TP, XI, 853.

⁸No. 112.

⁹Commander-in-Chief, Royal Indian Navy. See Nos. 224 and 241.

¹⁰See Appendix V. 1, note 6.

¹¹See *ibid.*, para 3.

¹²See Annex III. Also see Annex III to No. 386, Vol. I, Part I, 692-3.

¹³After a meeting with Jenkins, George Abell had suggested that there should for the present, be no attempt to form a Ministry in the Punjab but the ML be asked to "negotiate out of Court with the Sikhs in order to prevent confusion and bloodshed", and also "consider offering voluntarily some territory in Montgomery district so as to facilitate transfer of population and property. See No. 81, TP, XII, 119.

¹⁴See Annex V to No. 79.

¹⁵No. 117, Case No. PC/28/4/47.

Annex I to No. V.2

[11 July 1947]

DRAFT COMMUNIQUE ON THE RECONSTITUTION OF GOVERNMENT¹

In order to facilitate the setting up of the new administration of

Pakistan His Excellency the Viceroy has decided with the concurrence of the party leaders that the Interim Government should be reconstituted on the following lines.

[2.] The Government will consist of two groups representing the two successor Governments. There will be nine members from India and nine from Pakistan.²

[3.] The two groups will meet separately to consider matters concerning their own territories, and jointly under the chairmanship of the Governor-General to consider matters of common concern.

[4.] The personnel who have chosen to serve in Pakistan will be withdrawn from existing departments, and will staff Pakistan departments which will be organized at once in Delhi and will serve the Pakistan members of the Cabinet.

[5.] There will thus be what amounts to two provisional Governments one for India and one for Pakistan, each dealing with its own business and consulting the other on matters of common concern.

¹Enclosure to No. 63, *TP*, XII, 91.

²In letters to Nehru and Sardar Patel on 12 July Mountbatten indicated that he had slightly amended this draft by omitting the second sentence of the second paragraph and inserting the following sentence at the beginning of paragraph 4: "The existing Departments will be in charge of the Members representing India". He added that he intended to show the draft communique to Jinnah the same day (i.e. 12 July). See No. 63, note 8, and Enclosure 2 to No. 116, *ibid.*, 171. For the communique issued, on 19 July, see No. 155, *ibid.*, 216-7, and Appendix VI. 3, para 11.

Annex II to No. V.2

Draft letter from Quaid-i-Azam to the Viceroy

F. 2/235

I have considered the recommendations in Admiral Miles D.O. No. 201, dated the 19th [*sic* for 11th] July 1947¹ and have also discussed them with the Admiral.

I agree that the officer selected should be granted the rank of Rear Admiral and should be called the Flag Officer, Royal Pakistan Navy and be engaged in the first place for a term of one year. Of the two officers mentioned in the letter referred to above, I accept the recommendation in regard to Commodore J. W. Jefford, O.B.E. I also agree that Acting Captain H.M.S. Choudri should be appointed as Chief of Staff.

¹No. 112.

Annex III to No. V.2
Proceedings of AIML Council Meeting, held at Bombay
from 27 to 29 July 1946
[Extract]¹

TITLES RENOUNCED

Immediately after the Council had passed the two resolutions² before the House, a number of top-ranking Muslim Leaguers and others attending the Session announced that they had renounced the titles that had been conferred on them by the British Government, as required under the terms of the second resolution. These included the following, with titles renounced placed in parenthesis:

- (Sir) Ghulam Hussain Hidayatullah, the Sind Premier;
- (Sir) [Khwaja] Nazimuddin, the Bengal ex-Premier;
- (Sir) Firoz Khan Noon (Punjab);
- (Nawab Sir) Mehr Shah (Punjab);
- (Sir) M. Saadullah, the Assam ex-Premier;
- (Raja) Ghazanfar Ali Khan;
- (Nawabzada) Nasrullah Khan;
- (Khan Bahadur) Muhammad Ayub Khuhro, Minister, Sind;
- (Khan Bahadur) Jalaluddin (N. W. F. Province—who was the first to ascend the platform and surrender his title);
- (Khan Bahadur) Haji Hassan Ali Ibrahim (Bombay);
- (Khan Bahadur) Karamat Ali Khan;
- (Khan Saheb) Alibhai Patel (Bombay);
- (Khan Bahadur) Amjad Ali;
- (Khan Bahadur) Abdullah-al-Mahmud (Bengal);
- Mr. Hassan Ispahani (M.B.E.), (Bengal).

Nawabzada Liaquat Ali Khan, announced that although the prefix of "Nawabzada" to his name was not a title conferred by the British Government, he wanted to be addressed as only Mr. Liaquat Ali Khan.

Frenzied cheers broke out as each of the above Muslim Leaguers announced the surrender of their title.

¹Pirzada, *Foundations*, II, 562.

²Resolution I conveyed withdrawal of AIML Council's acceptance of the Cabinet Mission's proposals of 16 May 1946. Resolution II asked the Working Committee to prepare a programme of Direct Action, and called upon the Muslims to renounce the titles conferred upon them by the alien Government. Pirzada, *Foundations*, II, 554-8.

V.3

RECORD OF INTERVIEW BETWEEN LOUIS MOUNTBATTEN
AND M. A. JINNAH AND LIAQUAT ALI KHAN*Mountbatten Papers, Viceroy's Interview No. 165*[Extract]¹

SECRET

15 July 1947

I kept them back after the meeting of the Partition Council,² from 11.30 to 12 noon. I first handed them both a copy of the Order³ I proposed to make reconstituting the Government on the 19th July.

Mr. Jinnah did his usual business of demurring and saying he would have to give it due consideration. I told him that that was quite unnecessary since this was not an Order in Council or advice but an Order from myself made legal under clause 9 of the Bill,⁴ and that I proposed to circulate it to the Cabinet the following morning as an act of courtesy prior to making order.

I pointed out that resignations were not required under this Order, and that I, on the contrary, required a Pakistan Council for two vital purposes: (a) to be the Council to advise me on the Orders in Council for the amendment of the 1935 Act as required by the future Pakistan Government; and (b) to advise me if the present Government in the N.W.F.P. refused to resign after having lost the Referendum.

Finally I pointed out the immense advantage to Pakistan in being able to set up their own departments with their own officials as well as Ministers well in advance of the move to Karachi.

(As they were leaving I kept back Mr. Liaquat Ali Khan for a moment to make it quite clear that I could not make the Orders in Council for Pakistan on the advice of Mr. Jinnah, since he was going to become the constitutional Governor-General of Pakistan⁵ and should therefore no longer give me advice on this matter. I had not wished to rub this point in to Mr. Jinnah, but I wished Mr. Liaquat Ali Khan to be under no illusions that I would take no advice whatever from Mr. Jinnah on this matter from now on, which would have to be submitted through the Pakistan Council. Mr. Liaquat Ali Khan appeared to see the point, as he nodded and said "Thank you very much").

Item 2. I referred once more to the question of flag⁶ and expressed renewed regret that Pakistan would not accept a small Union Jack on the Dominion flag. This gave Mr. Jinnah the chance of saying that the last thing he wished to do was to sever his connection with the Commonwealth in any way, and in fact he was looking forward to building up an ever closer connection as time went on. I told him that flags

were an important outward and visible symbol and I hoped that he would at last adopt the custom of hoisting the Union Jack alongside the Dominion flag, either on the same pole or on two separate poles, on all special occasions such as birthdays of the Royal Family, Dominion Days of other Dominions (and presumably their own on the 15th August each year), and in general on as many occasions as possible. He replied; "Certainly, if you will give me a list of the days on which the Union Jack should be hoisted throughout Pakistan, I will see that it is done".

Item 3. I urged him to make up his mind on the Army Commander-in-Chief of Pakistan and told him he could not possibly do better than appoint General Messervy; he was already in command at Rawalpindi with his H.Q. Staff and to that extent Pakistan would have an advantage over India, who would have to set up a new Headquarters for the new C-in-C India. I told him General Messervy was coming here for our Silver Wedding and he would have an opportunity of seeing him again in the next two or three days. Mr. Jinnah said he would like to talk it over with General Messervy and would let me know his decision immediately afterwards.

Item 4. I asked them both whether they thought any useful purpose would be served by keeping Lord Ismay on, on my staff (paid by HMG) with a view to keeping liaison with Mr. Jinnah and Mr. Liaquat Ali Khan. Both of them became excited and enthusiastic and said that they considered it absolutely essential that Lord Ismay should stay, and indeed that this would be the perfect solution to the problem of liaison between the two Governments in the early days on high level policy questions, and would reduce the chance of friction to minimum. I told them that I could not guarantee that Lord Ismay would accept, but that I knew that the opinions they had both expressed would weigh greatly with him.

Item 5. Mr. Liaquat Ali Khan was anxious to know whether I had had a reply from Sir Patrick Spens yet about the Arbitral Tribunal,⁷ as they had selected their candidate and were anxious to discuss the matter with him. In fact they wanted to ask their candidate to come up to Delhi to meet the Chief Justice. I advised against this as it might make the Chief Justice feel that his hand was being forced. I told them that Sir Patrick Spens was expected in Delhi within the next day or two.

Item 6. Mr. Liaquat Ali Khan then asked what successor body I intended to establish after the 15th August to take the place of the Partition Council.⁸ I said I had not yet given this matter much thought, but would now consider it and let him know.

Item 7. He asked me whether I thought I could use my well known persuasive powers to get the Congress to agree to let the Pakistan

High Commissioner and his Staff be housed in the Red Fort. I said I would go into this.⁹

¹No. 112, *TP*, XII, 163-5.

²For minutes, see Enclosure to No. 170.

³See Annex.

⁴Enclosure 1 to No. 1.

⁵Jinnah preferred to have the Adaptation Order for Pakistan to be based on the Ninth Schedule of the Government of India Act of 1935 which would give the Governor-General the power to appoint members of Government as also to overrule majority opinion of Government. The British Government however were opposed to inclusion of such overriding powers in the Adaptation Order. See Nos. 86, 117 and 122, *TP*, XII, 127-8, 173-4 and 179-80, respectively.

⁶See Appendix V.2.

⁷See Enclosure to No. 59, Case No. PC/25/3/47.

⁸This point was probably raised at Jinnah's instance. See his note in F. 42/2, QAP. (Not printed). The matter was subsequently discussed in the meeting of Partition Council held on 17 July and it agreed to constitute a new Partition Council on 15 August with two representatives from each of the Dominions. See Enclosure to No. 195, Case No. PC/57/6/47.

⁹Further information on the subject not traced.

Annex to No. V. 3

DRAFT ORDER¹

In exercise of the powers conferred by sub-section (2) of section 40 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, and by paragraph (e) of sub-section (I) of section 9 of the Indian Independence Act, 1947, the Governor-General is pleased to make the following Order, namely:—

1. (I) This Order may be called the Executive Council (Transitional Provisions) Order, 1947.
(2) It shall come into force at once.
2. (I) In this Order "existing Department" means any Department of the Government of India in existence immediately before the commencement of this Order.
(2) The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
3. Each existing Department shall be renamed by adding the word "India" in brackets at the end of its former designation and, each such Department shall, as from the commencement of this Order, handle cases exclusively or predominantly concerning the future Dominion of India.
4. As from the commencement of this Order, there shall be created a Department corresponding with each existing Department, and each new Department so created—

- (a) shall bear the same designation as the existing Department with the addition of the word "Pakistan" in brackets; and
 - (b) shall handle cases exclusively or predominantly concerning the future Dominion of Pakistan.
5. Cases of common concern to the two future Dominions shall be handled in consultation by the appropriate Indian Department and the appropriate Pakistan Department.
 6. The Indian and Pakistan Departments shall respectively be in charge of such members of the Executive Council as the Governor-General may nominate in this behalf.
 7. (1) For the purpose of dealing with any case exclusively or predominantly concerning the future Dominion of India members of the Executive Council in charge of Pakistan Departments shall not be entitled to attend the meetings of the Council; and for the purpose of dealing with any case exclusively or predominantly concerning the future Dominion of Pakistan, members of the Executive Council in charge of Indian Departments shall not be entitled to attend the meetings of the Council.
(2) Any question as to whether a case exclusively or predominantly concerns the future Dominion of India or Pakistan shall be determined for the purposes of this Order by the Governor-General, whose determination shall be final.
 8. Any provision contained in the Ninth Schedule to the Government of India Act, 1935, or any rules or orders made thereunder shall, to the extent to which it is inconsistent with the provisions of this Order, cease to have effect.

¹Enclosure 3 to No. 116, *TP*, XII, 171-3.

V.4

RECORD OF INTERVIEW BETWEEN LOUIS MOUNTBATTEN AND CLAUDE AUCHINLECK

Mountbatten Papers, Viceroy's Interview No. 166

[*Extract*]¹

SECRET

15 July 1947

8. I told the Commander-in-Chief that the Partition Council had authorised me to draft a "Charter of Liberty"² in which both sides would pledge themselves to respect the Minorities, along the lines of Mr. Jinnah's press conference.³ I also hoped to put in something about

a political amnesty and no victimisation of previous political opponents (e.g. Khizar), and that finally it would contain a warning to any unruly elements among the Sikhs or Khaksars that no form of violence would be tolerated by either Government, and that on the boundary joint action would be taken under a joint organisation. The C-in-C was most enthusiastic about this and asked that in this "Charter of Liberty" a gracious gesture should be made to the British officers, extending a welcome to those who would stay on and serve and ensuring them of very fair and liberal treatment; I told him I would include this in my draft.

¹No. 113, TP, XII, 166-7.

²See No. 195, Case No. PC/47/6/47.

³For Jinnah's statement regarding the protection of minorities, see Appendix VIII. 2.

V. 5

RECORD OF INTERVIEW BETWEEN LOUIS MOUNTBATTEN AND SARDAR NISHTAR AND AKHTAR HUSSAIN¹

Mountbatten Papers, Viceroy's Interview No. 167²

18 July 1947

After some discussion of the general position of the States in North Western India *vis-a-vis* the Muslim League, H.E. said that Mr. Jinnah had given him an assurance that the Western Punjab Government would not interfere with the rights of irrigation from the rivers of the Punjab enjoyed by Indian States. He said he would ask Mr. Menon to secure a similar assurance from the Congress.

2. There followed a discussion about Kalat³. Sardar Nishtar agreed that Pakistan would not want the States to accede on more than three closely defined subjects (Defence, External Affairs and Communications). Pakistan would not have a policy of accepting all States that wished to accede. They would consider requests on their merits. Pakistan had no wish to coerce any State, but they would be embarrassed if States within their sphere of influence wished to join the Indian Union, and would have to consider their attitude.

3. Sardar Nishtar added that the League had always opposed the 1935 scheme of federation, and might not agree to the Act being adapted so as to use Part 2 for the Pakistan Constitution. Their position therefore about the accession of States is still a little uncertain. In any case, they would be prepared if necessary to enter into treaty relationships with the States if the States preferred that.

4. Sardar Nishtar asked that for the forthcoming meeting with the States, there should be separate representation of those States which were included in groups of which the majority wished to join the Indian Union, but did not wish to do so themselves. H.E. directed PSV to take this up with Political Adviser.

5. H.E. said that he would like to know whether Pakistan would be represented by British Ambassadors, Ministers and Consuls in places where they were not represented themselves. Sardar Nishtar promised to give a reply, but said there would be no question of their using Indian representatives.

6. There was some discussion on the question of tariffs, and whether they would have to be included under Foreign Affairs, and H.E. directed Mr. Akhtar Hussain to get the draft Instrument of Accession on which Mr. Menon was working, and arrange that H.E. should have a brief before the meeting indicating the League's attitude about the points covered by the Instrument of Accession.

7. In regard to Kalat, Sardar Nishtar explained that the Pakistan Government would claim to succeed to the treaty obligations and rights of HMG. Otherwise if Kalat claimed like the Indian States to be independent, it could also claim the retrocession of leased areas⁴ over which in fact complete sovereignty had been ceded to Great Britain by the terms of the leases.

8. It was agreed that the Kalat Delegation should be put off to 3.30 p.m. on Saturday 19th, and there should be a preliminary meeting at 3 p.m. to be attended by Sardar Nishtar, Mr. Akhtar Hussain, Sir Conrad Corfield and PSV.

G.E.B. ABELL

¹Deputy Secretary, States Department in the Provisional Government of Pakistan.

²No. 159, TP, XII, 221-2. The record was prepared by George Abell.

³See Appendix V. 2, para 3. Also see No. 150, para 3 and Enclosure to No. 151, TP, XII, 213-4.

⁴For Kalat's claim, see No. 155, Vol. I, Part I, 286-97.

V. 6

RECORD OF INTERVIEW BETWEEN H. L. ISMAY AND M. A. JINNAH

Mountbatten Papers, Viceroy's Interview No. 168¹

24 July 1947, 5.15 p.m.

I started off by saying that I wanted to have a most serious and

completely frank talk. It was no exaggeration to say that, as a result of a series of recent incidents, the Viceroy was almost in despair about the possibility of friendly co-operation with Mr. Jinnah. However much he (the Viceroy) tried to meet him and to help him, Mr. Jinnah always seemed to be in opposition. Over and over again it was the same story.

First there was the eleventh hour announcement by Mr. Jinnah that he intended himself to assume the appointment of Governor-General, Pakistan.² This had put the Viceroy in an extremely awkward position and, incidentally, had lost Mr. Jinnah a lot of ground in England amongst all shades of political opinion.

Secondly, the Viceroy had particularly asked Mr. Jinnah to restrain his press from chortling over the fact that Congress were to have a European Governor-General, while Pakistan was to have one of its own nationals. Mr. Jinnah had undertaken to do this,³ but the undertaking had not been fulfilled. *Dawn* had done precisely what Lord Mountbatten had wished them not to do.

Thirdly, there was the question of the flag.⁴ Mr. Jinnah was understood to have given his provisional agreement to a Pakistan flag with the Union Jack in the corner, but had subsequently said that he could not accept this.

Finally, Mr. Jinnah had now said that he could not fly the normal flag for a Dominion Governor-General over his official Residence and that he could not allow the Pakistan Navy to fly the White Ensign. These two refusals⁵ were the unkindest cut of all, and the Viceroy (for reasons which I elaborated at some length) felt them so deeply that he had drafted a telegram to the Prime Minister saying that it seemed hopeless to try to co-operate with Mr. Jinnah and asking for instructions. Lord Mountbatten had, however, decided on further reflection not to send the telegram for the moment.

Mr. Jinnah listened patiently to all I had to say and then proceeded to deal with each of my charges in turn.

As regards the first point, he protested that he had from the start dissented from the idea of a joint Governor-General. He had always been sure—and he was still sure—that it would not have worked. I intervened to remark that our grievance was not so much the substance of Mr. Jinnah's decision, but the fact that he had waited until the eleventh hour to announce it. I reminded him that Sir Eric Mievile and I had asked Mr. Liaquat Ali Khan in the very early days of June to persuade Mr. Jinnah to nominate the Governor-General of Pakistan as soon as possible, and that if he had only said frankly and finally at that time that he proposed to be Governor-General himself, a great deal of

misunderstanding and trouble would have been saved. Mr. Jinnah kept on reiterating that he had never given the Viceroy the slightest grounds for believing that he would agree to a common Governor-General and there seemed to be no object in pursuing the argument.

Mr. Jinnah then turned to the question of the Muslim League Press. He said that he had kept his undertaking and that the Muslim Press had done no chortling until the Congress Press had attacked Mr. Jinnah for having, in the first place, agreed to a common Governor-General and of subsequently having broken his word. This was an intolerable and untrue accusation which had to be countered. I observed that I had been away in London and had not seen the article in question. I was not, therefore, in a position to continue the argument.

We then got on to the question of the Viceroy's original design for the Pakistan flag with the Union Jack in the corner. Mr. Jinnah admitted that, when this was first shown to him, he was inclined to see no objection to it, but added that when he discussed it with his colleagues they had at once pointed out that it would be impossible to have the cross and crescent on the same flag. All the old hatreds and rivalries would be revived. I said that the Viceroy appreciated this difficulty, but that he could not understand Mr. Jinnah's objection to flying the Dominion flag over his Residence. At this point Mr. Jinnah seemed to be less sure of himself. He started off by dragging in the irrelevant observation that it was a mistake for the King to continue to sign himself "George R. I." after the 15th August. His Majesty would no longer be Emperor of India and if he were to continue to subscribe himself as such it would be resented. His next line of argument was that surely he was entitled to fly any flag he liked over his own personal Residence? I said that the residence was, in a sense, not a personal one. It was the residence of the King's representative and it seemed only right that the King's emblem should be flown.

Mr. Jinnah then went off into a long yarn about the constitutional position of Eire. He said that India and Pakistan would have the same constitution as Eire, i.e. unlike the other Dominions they would be able to secede without an act of the British Parliament. He was therefore in favour of the Eire model.

I said that I was not aware that the secession of Canada or Australia would have to be done by act of the British Parliament. But in any case I was not concerned with constitution but with the practical applications thereof. Did Mr. Jinnah really wish the relations between Pakistan and the U.K. to be the same as those which now obtained between Eire and the U.K.? We did not help Eire with officers, or supply them with the latest equipment; nor did we admit them to our Staff Colleges. In fact, they enjoyed none of the benefits of a Dominion. Mr. Jinnah, on the other

hand, appeared to be anxious to have a very large number of British officers and officials to help him and was insistent that he wished Pakistan to be at once and always a member of the British Commonwealth.

Mr. Jinnah then switched to another line. He said that he had acquired the reputation of having complete authority over his people merely because he always studied their views and wishes and faithfully expressed them. He was obviously gratified when I intervened to say that this was all that Mr. Churchill had claimed to do for the British people in 1940. He went on to say that although he personally would not object to flying the Dominion flag he had a feeling that his people might resent it. It would be a thousand pities if it were to be flown in the first instance, and subsequently had to be changed as the result of agitation in the Pakistan Parliament.

I said that I entirely disagreed. If Mr. Jinnah were to start off by flying his own flag instead of the Dominion flag, public opinion at home would attribute this lack of the customary friendly courtesies to Mr. Jinnah himself. Whereas, if he were to start off by flying the Dominion flag, and it was subsequently changed owing to pressure from his Parliament, public opinion in England would not take it nearly so badly.

Mr. Jinnah said that he would have another talk with his colleagues on this point and would let me know the result.⁶

Finally, we got on to the question of the White Ensign. To my great surprise, Mr. Jinnah said that he thought there must have been some misunderstanding. He was quite determined that the Pakistan Navy should fly the White Ensign, which was an emblem of comradeship between all the Dominion Navies. I said "Thank God"; and we left it at that.

Considering the somewhat embarrassing character of our talk, the atmosphere throughout our meeting was most cordial.

As Mr. Jinnah was leaving the house, he stopped, put his hand on my shoulder and said with great sincerity; "I beg you to assure the Viceroy that I am his friend and yours for now and always. I beg that he should judge me by deeds and not by words."

ISMAY

¹No. 222, *TP*, XII, 322-5.

²See No. 25. Also see Appendix III. 6.

³No reference to Mountbatten's request or Jinnah's undertaking in this matter or *Dawn's* comments could be traced. However, for *Dawn's* editorial on the subject of common Governor-General, see Appendix III. 18.

⁴For earlier discussions on design for Pakistan Dominion and other flags, see Appendix V.2, V. 3, item 2, and Appendix VI. 3, paras 25-29.

⁵See Appendix VI. 4, para 28.

⁶During a subsequent interview with Mountbatten on 29 July, Jinnah is said to have agreed to the proposed design for the Governor-General's flag. See No. 279, *TP*, XII, 410. It was a blue flag, with a crown and lion and the name "Pakistan" in gold. See Appendix C to No. 243, *ibid.*, 363.

APPENDIX VI

VICEROY'S PERSONAL REPORTS

VI. 1

Louis Mountbatten to the Earl of Listowel
Viceroy's Personal Report No. 11

L/PO/6/123¹

TOP SECRET

4 July 1947

1. This report is being taken home by Ismay. The three main matters, which have been dealt with at a series of meetings throughout this week have been the Partition of the Armed Forces; the draft Bill; and the proposed Reconstitution of the Interim Government.² Another vital matter has been the question of whether to have a common Governor-General³ for the two Dominions. These matters are dealt with below.

2. All of us had feared that the partition of the Armed Forces (the details of which were issued in a long communique on 1st July)⁴ was going to be a major stumbling block. The attitude of both parties in demanding to have their own armies of their own nationals, under their own control by 15th August, and the objections raised by both sides to any form of supreme administrative control made us all apprehensive. I then had the brain wave of sending for Trivedi, the Governor of Orissa, who had been Secretary of the Defence Department during the war, and who is the only Indian who had any idea of high level defence organisation. Not only is he trusted by Nehru and Patel, but fortunately he has been a life long friend of Liaquat Ali Khan. In eight days' hard work he was able to obtain concessions from the leaders and lobby the final paper so successfully that the Partition Council meeting itself⁵ went off more smoothly than any meeting I have ever seen. This is one of the most important successes we have had to date, and Auchinleck is delighted beyond measure.

[Para 3 omitted]

4. The Draft Bill⁶ gave me endless trouble. The leaders of both sides were not only insistent that they must see the Bill, but Congress worked themselves up into a great state about not being adequately consulted and it was with the greatest of difficulty that I calmed them down. I had to give way on their bringing in Gandhi, and all Congress members of Government and four constitutional lawyers. I felt that we

should never reach the end if Congress and League parties sat together, so I had them sitting in two adjoining rooms⁷ in Viceroy's House for nearly three days (and nights!).

5. The rate at which the voluminous comments of both sides and my own comments⁸ on their comments were dealt with in London, within less than 24 hours of despatch, has left us all breathless with admiration for a marvellous piece of work. All of us here are most grateful and appreciative.

[Para 6 omitted]

7. ...Jenkins has just sent me a report⁹ that Mamdot, the useless Muslim League leader in the Punjab (aptly nicknamed the "dumb wrestler") has resigned from the Security Council [Punjab Security Committee] mainly on the grounds that Jenkins is anti-Muslim League. One thing Mamdot wanted was that instead of having one leader of each community—Muslim, Sikh, Hindu—there should be two Muslims on the Security Council; and he also wished to institute steps which would nullify the value of searching Muslim areas. In fact, the League appear to be doing their best to wreck the peace of Lahore, and I am sending Mievile round right away to see Jinnah about this.

[Para 8 omitted]

9. In paragraph 15 of last week's Report¹⁰ I referred briefly to the arrangements which were proposed for the Government of Bengal during the interim period until 13th August. As a result of discussions during the week the following is the text of the instructions which I sent to Burrows, and which are being implemented:

[There follows the text]¹¹

10. Jinnah's absolute refusal to allow Suhrawardy to accept either a coalition of [or] regional ministries for East and West Bengal till after the partition of the Province had been decided upon, had made the above inevitable. I need hardly say that it annoyed Congress a great deal and they only accepted it on the understanding that I was going to impose an identical [*sic* for identical] set of conditions upon the League in the Interim Government at Delhi. When, therefore, Jinnah categorically refused to accept this arrangement on the grounds that it was deliberately insulting to the League and illegal, I was placed in a quandary. One of the objects of Nehru and Patel, of course, is to humiliate the League, for they are sick and tired of Jinnah apparently always winning his point. They were, therefore, quite uncompromising in their attitude that unless I reconstituted the Interim Government on the same lines as Bengal but this time of course in favour of Congress, they would all resign and refuse to take any further part in the

Government of the country until the 15th August.

11. In the meanwhile Jinnah had put forward the legal objections which I telegraphed¹² to London, and which fortunately proved to hold enough water for me to be able to refuse to carry this out. For Jinnah and Liaquat Ali Khan saw Ismay privately¹³ and informed him that if it were found to be legal and I attempted to enforce this, the League would leave the Interim Government. In either case, I realised that the passage of the Bill in Parliament unopposed would be almost impossible.

12. I am extremely grateful to the Prime Minister for his great help in sending me the telegram¹⁴ which finally convinced Nehru and Patel of the impossibility of reconstructing the Government forthwith, and they resigned themselves to its reconstruction as soon after the 20th July as the Bill was passed. Even this took V.P. Menon and Krishna Menon several hours of hard lobbying.

13. The Cabinet Meeting this morning¹⁵ passed off very peacefully. I called for the resignation of all the members and told them I would ask them to carry on until the Bill was passed when I would reconstitute the Government on the same lines as Bengal. At the request of Nehru, I also arranged that all appointments and action taken at ministerial level were to be reported to me every night by every department, and were not to be implemented until I had approved them or referred the matter to the opposite party if I felt that their future territories' interests were at stake. This great amount of extra work for myself and my staff is a small price to pay to have been spared the major catastrophe of the resignation of one side or the other within six weeks of the transfer of power.

14. The Referendum in Sylhet, which is due to be held on the 6th and 7th July, has been causing a little trouble. Jinnah handed to me a number of complaints about the referendum, some of which might have had some substance, but others of which were, to my mind, very trivial. For instance, he complained that Mr. Stork¹⁶ of the I.C.S., who had been appointed Referendum Commissioner, was a prisoner in Turkey during World War I and was therefore known to be anti-Muslim. He also stated that the symbol on the ballot box for joining East Bengal, i.e. an axe, according to local superstition symbolises the causing of an injury to oneself. I have, however, been in touch with Hydari and agreed with him that Stork should be relieved of his post of Legal Remembrancer to avoid any suspicion of ministerial direction, and have also instructed the Commander-in-Chief¹⁷ to send down some military officers to act as observers on my behalf. I expect things

to go quietly and I do not think there will be any grounds for the League to make any complaints.

15. As expected the voting in Baluchistan was completely in favour of joining Pakistan. Three members of the *Shahi Jirga* and five out of the ten members of Quetta municipality were not present, but the remaining fifty-four voted unanimously without a debate for joining Pakistan.

[Paras 16 to 34 omitted]¹⁸

¹No. 506, TP, XI, 893-6.

²See Enclosure to No. 7, Case Nos. PC/7/2/47 and PC/12/2/47 and Enclosure to No. 6, Case No. PC/1/1/47 respectively.

³See Appendix III.

⁴See Annex to Enclosure to No. 7.

⁵See Enclosure to No. 7.

⁶Enclosure 1 to No. 1.

⁷See No. 1.

⁸Appendix I.5 and I. 6. Also see Annexes I. VI to No. 1 and No. 17.

⁹Jenkins reported Mamdot's complaints over harsh police measures and listed the latter's demands. See No. 472, TP, XI, 843-5.

¹⁰Appendix X. 3, Vol. II, 948.

¹¹Not printed. See Enclosure to No. 306, *ibid.*, 581-2.

¹²Enclosure to No. 311, *ibid.*, 589-94.

¹³Appendix IX. 7, *ibid.*, 926-7.

¹⁴Attlee had informed Mountbatten that the British Government could not sanction reconstitution of the Interim Government until legal position had been assured by passage of the Bill. See No. 468, TP, XI, 838.

¹⁵For details see No. 493, *ibid.*, Case No. 171/33/47, 878-80.

¹⁶Herbert Stork was Secretary, Legislative Department and Legal Remembrancer to the Assam Government.

¹⁷Claude Auchinleck.

¹⁸For paras 21 to 34 see Appendix III. 6.

VI. 2

Louis Mountbatten to the Earl of Listowel
Viceroy's Personal Report No. 12

L/PO/6/123¹

TOP SECRET AND PERSONAL

11 July 1947

[Paras 1 to 7 omitted]

8. The Chairman of the two Boundary Commissions, Sir Cyril Radcliffe, has arrived and after staying with me for 48 hours to get into the picture, he left for a preliminary visit to Calcutta. Nehru, Jinnah

and the Boundary Commissions have all agreed that the work should be completed by the 15th August and Sir Cyril Radcliffe has concurred. All are very pleased that the Bill will make the findings of the Boundary Commissions an Award, since no party could contemplate with equanimity the riots which would break out if the boundaries remained indefinite on the day of the transfer of power.

9. In regard to the Punjab, the Sikhs are again becoming troublesome in their meetings and public statements and even Sardar Baldev Singh was reported in the press to have said at a meeting² on 8th July:

"It is the demand of the Sikhs that Boundary Commission should give its decision by August 15. I hope that the Boundary Commission will be fair to us, but if its decision is against us, we will resist it, and will not consider any sacrifice too great to vindicate the honour of the Panth."

I taxed him with this in the full Cabinet meeting on 9th July,³ but he denied it indignantly and said that he had been misreported. He intends to ask for a correction⁴ to be issued but, although he may not have been absolutely correctly reported, I fear there is little doubt that he was talking along these lines.

10. I saw the Maharaja of Patiala yesterday⁵ and impressed on him once again that if the Sikhs showed any sign of fight they would have the Armed Forces of India against them and would be crushed. He fully realised this and undertook to do everything in his power to try and steady them. He had brought ten retired Sikh officers as a delegation to see me about the Boundary Commission; I refused to see them and turned them over to the Chief of the General Staff⁶ (in the absence of the Commander-in-Chief) to explain to them that the terms of reference of the Boundary Commission had been settled by the leaders, that I had nothing more to do with the Boundary Commissions and that they must address themselves to the Sikh Judge⁷ on the Punjab Boundary Commission. Patiala agreed that this was the right decision.

[Para 11 omitted]

12. At the same meeting a decision was also taken about the future of the Federal Court. It was decided that the existing Federal Court should continue as the Federal Court for the Dominion of India and that a separate Federal Court should be set up for Pakistan. Assurances have been given to the present judges and officers of the staff that they will be continued in service on existing terms and conditions and an opportunity will be given to all officers and staff to elect to serve in Pakistan on the same conditions of service.

13. I have had further discussions this week about the composition

of the Arbitral Tribunal. A suggestion was put forward that the Federal Court should be used for this purpose, but the Chief Justice's view was that this would be most improper, particularly as it is to continue for one Dominion. He felt, however, that there would be no objection to one or more Judges of the Federal Court being appointed to the Tribunal. It has now been agreed that I should write to Sir Patrick Spens⁸ asking him to accept the appointment of Chairman of the Arbitral Tribunal and to discuss the appointment of one nominee with the leader of each of the main parties. The meeting was unanimous with Spens' own view that he should not stay on in India after the work of the Tribunal is finished in any office, or in fact in employment of any nature.

[*Paras 14 and 15 omitted*]

16. The Cabinet Meeting on Wednesday the 9th July was a very tame affair. There was a very short agenda as the routine business of the Government of India has practically come to a standstill. Much of the time was taken up by a discussion, in which there was a distinct note of acerbity, between the Congress and Muslim League over the final destination of 22 million ounces of silver, now lying in the Mint in Lahore.⁹ There had been an administrative decision last March that this silver should be moved to Bombay, but for one reason or another it has not yet got under way. It is required ultimately to repay the loan of silver from the United States, and is *not* required for monetary nickel. Although no Congress member actually said so, the fear was quite obvious that Pakistan would use this treasure to finance itself, and if 15th August arrived before the silver was in Bombay, that would very likely be the last of it which India would see. Finally the matter was shelved by calling for a report of the full facts involved; this is supposed to come up next week.

[*Para 17 omitted*]

18. In paragraph 10 to 14 of my Personal Report No. 11¹⁰ I referred to the reconstitution of the Interim Government. I had a further talk with Jinnah during the week¹¹ and had, I think, almost brought him up to the point when he would have been prepared to discuss the arrangement I described with his followers, in spite of the fact that he regarded it as a deliberate insult to the League. The situation has, however, changed to a great extent during the last three days as a result of the now quite fresh position created by my acceptance of the Governorship [*sic*] of the Union of India. I pointed out to Nehru and to Krishna Menon, who has once again been invaluable as a "go-between", that my position would be extremely difficult having accepted to stay

on with the Dominion of India if the League refused to send in their resignations and forced me to dismiss them and give all portfolios for the whole of India to Members of what will be my own future Government. I am, therefore, now investigating the mechanism whereby these two future governments could hold separate portfolios for their future areas for the three weeks before the actual transfer of power.¹² I believe I may be able to persuade Congress to accept such a scheme and I feel that Jinnah would welcome it provided that the mechanics present no insuperable problem. I attach a draft communique¹³ on the reconstitution of the Government, which I am putting to the leaders in the course of the next day or so. If both sides will accept this, we shall have got over by far the most difficult hurdle we have had to jump so far.

[Para 19 omitted]

20. Now that advice has been so unanimous and strong¹⁴ that I should accept the Governor-Generalship of India and the Chairmanship of the Joint Defence Council, my mind is fully made up and I shall carry on and do my very best. I must however record the feeling which I cannot altogether dismiss that it is a tragedy that I have had to take a position with one side when hitherto I have managed to retain my complete impartiality. I must also point out that this will be an extremely difficult position for Congress leaders to put over on their back-benchers; for Jinnah scores an undoubted victory over Congress from a psychological point of view in having an Indian Governor-General for Pakistan.

21. The one bull point in the favour of the Congress leaders is that by my continuing as Governor-General the continuing entity of India as opposed to Pakistan is more firmly established in the eyes of the world. The second is that I have only accepted for the "transition" period—probably about eight months—so that it cannot be looked upon as establishing permanent inequality between the two Dominions.

[Paras 22 to 25 omitted]

26. I have persuaded both Nehru and Patel to give me a fairly free hand in negotiating with the States.¹⁵ I am on quite a good wicket, because on the whole the States representatives are pleased that I managed to get the leaders to accept the Cabinet Mission's memorandum¹⁶ of the 12th May, which hitherto no party had accepted. It will be remembered that this plan was specifically quoted in the Statement of the 3rd June,¹⁷ which both parties publicly accepted.

27. I held a meeting this morning¹⁸ with the representatives of

Hyderabad, led by the Prime Minister, the Nawab of Chhatari, with three other representatives and also Sir Walter Monckton.¹⁹ I had V.P. Menon, the "India" Secretary of the new States Department, Akbar [?Akhtar] Hussain, the "Pakistan" Deputy Secretary of the new Department, Corfield and three members of the Political Department,²⁰ in attendance.

28. I was able to concede all Hyderabad requests on the retrocession of the Secunderabad cantonment and the withdrawal of the Indian Army troops. I was also able to meet all their points about retrocession of the railway lands; but Berar proved a very thorny problem. I put it to them that they should try and persuade His Exalted Highness to accept an indefinite standstill agreement about Berar by which the Dominion of India would recognise the Nizam's sovereignty and continue to pay the Rs. 25 lakhs a year in rent. Monckton pointed out that the Nizam would not like an indefinite agreement, since he would feel that he would thus lose sovereignty, and therefore suggested a clause whereby this standstill agreement could be terminated at 12 months notice; and V. P. Menon thought this would be acceptable to the States Department.

29. Finally, I tackled the most difficult problem of all, the accession, or as I put it the "adherence", of Hyderabad to Dominion of India. Up to now the States have all felt that the Dominion of India Government would insist on complete adherence for all the Central subjects, which would virtually mean giving up internal autonomy. Both Nehru and Patel have made the most realistic gesture in authorising me to negotiate on the basis of the three original Central subjects in the Cabinet Mission plan—Defence, External Affairs and Communications.

30. I was able to point out to the Hyderabad delegates what an immense step forward this was over the previous position; and I noted that they were visibly relieved. I pointed out that the standstill agreement which I proposed to negotiate with all the States on the 25th July virtually covered communications; thus adherence on this point was almost certainly assured. I pointed out further that they might as well equip their armies with bows and arrows as retain their existing arms for all the good they would be when the new post-war weapons and techniques were developed, and that anyhow they could hardly expect to run their own overall defence. I also pointed out that they could hardly expect to run External Affairs on an individual basis and that the two questions were inseparably linked.

31. The Delegation feared that they might not be able to get the Nizam to accept even this very loose adherence to the Centre; but I

suggested that a formula could be found which would salve the Nizam's wounded pride and which might yet be acceptable to the States Department.

32. The meeting broke up with a feeling that we had got much further along the road to agreement than anybody could possibly have hoped, and I have invited them to come back on the 24th July for further preliminary discussions; since if I can once get Hyderabad to stop their talk of complete independence and to come realistically forward, this would set an example which I do not believe any other State, not even Travancore, could resist.

[Para 33 omitted]

34. I must freely admit that I have not been able to grip this States problem before. It will be remembered that I was instructed²¹ to adhere to the 12th May Statement and I felt that until this was accepted by the leaders and an atmosphere created in which realism would prevail, I could not make much progress....

[Para 35 omitted]

¹No. 65, *TP*, XII, 92-100.

²The meeting was called by the Shiromani Akali Dal in protest over the possibility of their community being split up by partition of the Punjab. See No. 17, *ibid.* 17-8.

³Not available in *QAP*.

⁴On 11 July, Baldev Singh contradicted the press report of his having said that if their demands were not accepted by the Boundary Commission, the Sikhs would resist and fight for their rights. See the *Pakistan Times*, 12 July 1947.

⁵No record of this meeting has been traced, but see No. 117, Case No. PC/31/4/47.

⁶Lt. Gen. Arthur Smith.

⁷Sardar Teja Singh.

⁸See No. 59, Case No. PC/25/3/47.

⁹Not available in *QAP*.

¹⁰Appendix VI. 1.

¹¹Mountbatten had called for resignations of the Members of the Interim Government preparatory to reconstitution of the Government. On 8 July, Jinnah informed the Viceroy that the ML members of the Interim Government were extremely bitter at the deliberate humiliation being inflicted on them in the last three weeks by the Congress. The Quaid said he could not give an answer until all the ML members had returned from the Frontier and Sylhet referenda. See No. 24, *TP*, XII, 22-3.

¹²No. 54, *ibid.*, 66-70.

¹³See Annex I to Appendix V. 2.

¹⁴See Appendix III and Nos. 35 and 67.

¹⁵Mountbatten had assured the Congress leaders that he would give priority to their pressing problem with the States. See No. 37, *TP*, XII, 36-8.

¹⁶Appendix X, Vol. I, Part II, 479-81.

¹⁷No. 1, Vol. II, 1-6.

¹⁸On 11 July, representatives from Hyderabad State met the Viceroy to discuss Secunderabad cantonments, railway lands, Berar, Standstill Agreements and adherence to the Legislative Assembly of India. See No. 61, *TP*, XII, 79-88. Also see Annexure I to Enclosure to No. 178.

¹⁹Constitutional Adviser to the Nizam of Hyderabad.

²⁰Lancelot Griffin, E.B. Wakefield and J. H. Thompson.

²¹Attlee's instructions dated 18 March 1947 to Mountbatten required the Indian States to "adjust their relations" with the authorities to whom it was intended to hand over power in British India. However the powers and obligations of the British Government under paramountcy were not to be transferred to any successor Government. See Enclosure to No. 543, TP, IX, 972-4.

VI.3

Louis Mountbatten to the Earl of Listowel Viceroy's Personal Report No. 13

L/PO/6/123¹

TOP SECRET
PERSONAL

18 July 1947

This has been another busy week. The Partition Council now meets three times a week, on Tuesdays, Thursdays and Saturdays, and in addition there has been much to do in connection with the reconstitution of the Government and the partition of the Armed Forces.

[Paras 2 to 5 omitted]

6. The Sikhs have warned Jenkins through Giani Kartar Singh² that they will have to take violent action if they are not satisfied by the Boundary Commission's award. They said openly that they proposed to sabotage communications, canal systems, headworks, etc. In view of this we shall have to make careful military arrangements and the Partition Council have agreed that, under the control of the Joint Defence Council, there must be a unified military Command in this area.³ The Commander will probably be Major General Rees, who is at present in the area commanding the 4th Indian Division, and he will have one Muslim and one non-Muslim officer⁴ attached to him for liaison purposes with the two forces of the Dominions. We shall probably have to get this organisation set up in advance of the announcement of the award, and I shall discuss it with Jenkins and Messervy, the Army Commander, at Lahore.

7. I have prevailed on the Partition Council to let me draft a joint statement giving full assurances to minorities and former political opponents in both Dominions and declaring as a corollary that they will not tolerate any violence in either Dominion, and particularly in the area affected by the Boundary Commission's awards.⁵ The organisation to deal with violence on the boundary will be referred to. I think a statement of this kind will be very useful.

8. The referendum in Sylhet has resulted in a majority of 55,578

votes in favour of the district joining East Bengal. The figures were 239,619 in favour and 184,041 against, the percentage of valid votes to the total electorate being over 77%.⁶ As I had complaints from both Nehru⁷ and Jinnah⁸ about the handling of the referendum, I came to the conclusion there could not have been much wrong with it, and, in spite of Nehru's request for an investigation, I decided the result must stand, particularly as Hydari expressed himself as quite satisfied.⁹ I wrote to inform both leaders accordingly.¹⁰

[Para 9 omitted]

10. The reconstitution of the Interim Cabinet has been my worst headache to date, for it is an issue on which both sides have made their intentions of resigning and taking no further part in the Government quite clear if they considered that I was breaking faith with them. I would have been prepared to have adhered to the Congress demand that they should be given the portfolios for the whole of India, and Pakistan only shadow portfolios to hold a watching brief for their areas, if I had been staying as the common Governor-General of both; but one of the unfortunate results of my staying on with only one side is that I cannot afford to give a decision which will be publicly denounced as favouring my own future Government.

11. Last week I reported that Mr. Jinnah seemed disposed to accept.¹¹ At the next meeting I had with him, however, he made it clear that the League Members would refuse to resign and if dismissed would publicly declare their intention to take no further part in the Government of India.¹² I need hardly point out that this would have made my position quite impossible. I therefore set about once more trying to find a new formula, the details of which are given in the press communique which I shall issue to the press to-morrow, and a copy of which is attached as Appendix 3.¹³ I also attach a copy of my Order as Appendix 4.¹⁴

12. Krishna Menon and V. P. Menon managed to sell this idea to Nehru and Patel respectively, though not without great difficulty; for basically both these leaders would like to see Jinnah told where he gets off.¹⁵

13. Jinnah, whom I saw in the presence of Liaquat Ali Khan, instead of being delighted with my new solution, said he would give it his careful attention.¹⁶ I told him I was not asking for his views or advice since this was an Order I was not making in Council, and it was entirely my own business.

14. As he and Liaquat Ali Khan were leaving I kept back Liaquat for a moment to make it quite clear that I could not make orders in

Council amending the 1935 Act for the new Dominion of Pakistan on the advice of Jinnah, since he was going to become the constitutional Governor-General of Pakistan and therefore could no longer give me his advice on this matter. I said that I did not wish to rub this point in to Jinnah, but that I wished him to be under no illusion that I would take no advice whatever from him on this matter from now on, and would only act on the advice of my new Pakistan Executive Council. I said that if the Council wished to consult Jinnah before giving me advice that was their concern.¹⁷

15. I raised the matter at the full Cabinet meeting on the 16th July and it was accepted by both parties without much trouble.¹⁸ I added that this was probably the last time that the Interim Government would meet in its present form and I thanked all members for the help and assistance which they had given me both individually and as a team during the past vital four months.

16. In connection with the reconstitution of the Armed Forces one thing that has clearly emerged and been accepted by the Partition Council is the need for many British officers and other ranks, including technical personnel, to stay on at least for the transition period of about eight months, and preferably longer. They are, of course required in addition to the Supreme Commander and senior officers of the Joint Defence Headquarters and were they all to leave suddenly on the transfer of power there would be a very grave risk of breakdown of the whole administrative machine and the training programme.

17. Auchinleck expressed the view strongly to me that in view of the calumny and abuse, particularly in the press, from which British officers had suffered in recent years, very few would remain on after the 15th August unless they received a personal appeal from me.¹⁹ I secured the co-operation of Nehru and Jinnah²⁰ and attach as Appendix 5²¹ a copy of the printed appeal which was despatched by aircraft to all Commands over the week-end. Auchinleck is not too hopeful about the result but I have a feeling that we shall get sufficient volunteers now it is known that so many British officers in high appointments are remaining on for the transition period.

[Paras 18 to 23 omitted]

24. Progress has been made on the plans for official ceremonies on the transfer of power. I intend to go to Karachi on the 14th August and had proposed to come back the same day, but as *Ramazan* will still be on, Jinnah has asked that I should stay to a State dinner, so I shall have to defer my departure. The ceremonies in Delhi will take place on the 15th August, after which I shall probably go down to Bombay to say

farewell to the first contingent of British troops due to leave on the 17th August.

25. In previous reports²² I have expressed the hope that I would be able to persuade the new Dominions to have the Union Jack in the upper canton of their flags as do other members of the Commonwealth. This design has not been accepted by either party. Jinnah, in turning down the suggestion, explained that it would be repugnant to the religious feelings of the Muslims to have a flag with a Christian cross alongside the crescent. He also said that it would be difficult to "sell" such an idea to his extremists at the present time.²³

26. Nehru asked if I would mind if Congress rejected the design on the grounds that, although Gandhi, Patel and others had originally expressed their willingness to accept it, they had now come to the conclusion that the general feeling among Congress extremists was that the leaders were pandering far too much to the British; and that this had reached a point at which it was inadvisable to press the design on them. Nehru has now sent in a design, prepared by a Committee of the Constituent Assembly, of the future Indian Dominion flag. This is in the same colours as the existing Congress flag, but with the wheel from the Sarnath Asokan capital replacing the spinning wheel in the centre of the flag.

27. I have not pressed the leaders any further to accept the inclusion of the Union Jack in the flags of the two new Dominions, but I have suggested as an alternative that the Union Jack itself should be hoisted either on the same flagstaff as the Dominion flag, or on a neighbouring flagstaff on the "recognised" days in the year. I am supplying the leaders with a list of such days and both Nehru and Jinnah thought that this scheme would be acceptable if it were not publicised.²⁴

28. Both leaders have provisionally accepted the idea that the two Dominion navies should follow the custom of other Dominion navies in flying the white ensign of the Commonwealth at the ensign staff and the Dominion flag at the jackstaff. Both leaders were anxious that this should not be publicised but should simply happen as a matter of routine. In fact they are worried about their extremists agitating against over-stressing the British connection, although they are quite willing to retain it themselves.

29. Both Jinnah and Nehru have agreed that the two Governors-General should fly the recognised Dominion Governors-General flag—i.e. a blue flag with a gold crown and the name of the Dominion, and I am now working out proposals for Governors' flags, ADC's armlets, etc.

30. Jinnah now issues his own Court Circular and it appears in

Dawn every day headed simply "Quaid-i-Azam". This is the title by which he is generally known among Muslims in India and it means, I understand, "The great law-giver"²⁵.

¹No. 162, *TP*, XII, 225-31.

²In his interview with Evan Jenkins on 10 July Giani Kartar Singh had stated that "the Sikhs would be obliged to fight" if the new Governments in the Punjab were established on basis of the "notional" boundary. See Enclosure to No. 56, *ibid.*, 71-4.

³See Enclosure to No. 195, Case No. PC/47/6/47. Also see Annex to Appendix VI. 4.

⁴The appointment of a Muslim and a non-Muslim adviser to the Commander of the Punjab Boundary Force was discussed by Jinnah with other members of the Partition Council in a meeting on 22 July. Eventually Colonel Muhammad Ayub Khan and Brigadier Digambar Singh Brar were nominated for that assignment. See No. 235, Case No. PC/81/8/47. Also see Annex to Appendix VI. 4.

⁵See note 3 above.

⁶See No. 139. Also see No. 107, *TP*, XII, 155-7.

⁷See No. 95, *ibid.*, 140-1.

⁸See No. 98, note 2, *ibid.*, 143.

⁹See No. 68, paras 5-7, *ibid.*, 104-5 and No. 107, *ibid.*, 155-7.

¹⁰See note 8 above.

¹¹See Appendix VI.2, para 18.

¹²See Appendix V.2, para 1.

¹³See Annex I to Appendix V.2. Appendices 1 and 2 were referred to in para 9 which have been omitted here.

¹⁴The order cited as the Executive Council (Transitional Provisions) Order, 1947 provided for renaming the existing Departments for India and Pakistan, respectively. See No. 170, *TP*, XII, 257-9.

¹⁵See No. 53, *ibid.*, 66.

¹⁶ & ¹⁷See Appendix V.3, item 1.

¹⁸The cabinet meeting discussed reconstitution of the Central Government after the Indian Independence Bill became law on 18 July and agreed to set up Pakistan Departments and India Departments from 19 July to handle cases exclusively or predominantly concerning the respective new Dominions. See No. 127, *TP* XII, 184-6.

¹⁹See Appendix V. 4. Also see No. 88, para 3, and No. 113, para 2, *TP*, XII, 129-30 and 165-6, respectively.

²⁰Mountbatten had informed Listowel of having obtained agreement of Nehru and Jinnah to the issuance of a personal appeal from the Viceroy to British officers to volunteer for service in Hindustan and Pakistan. See No. 65, *TP*, XII, para 11, 94.

²¹For the appeal as issued, see Enclosure to No. 134.

²²See Appendix X. 3, Vol. II, para 40, 955.

²³See Appendix V.2, para 7.

²⁴See Appendix V.3, item 2.

²⁵The title means "The Great Leader".

VI.4

Louis Mountbatten to the Earl of Listowel
Viceroy's Personal Report No. 14

L/PO/6/123¹

TOP SECRET
PERSONAL

25 July 1947

[Para 1 omitted]

2. The referendum in the Frontier Province resulted in an overwhelming vote for joining Pakistan² which was inevitable in view of the boycott carried out by the Congress Party.

[Voting figures omitted]³

3. It is particularly satisfactory that over 50% of the total electorate voted for joining Pakistan (and the total votes cast were only 15% less than last time without a boycott), as that disposes of any possible argument on the Congress side that, in spite of the boycott, the Province was not really in favour of joining Pakistan.

4. Before I visited the N.W.F.P. at the end of April⁴ I was assured by Nehru⁵ and by other Congress leaders that any form of election or even referendum would be a gross injustice, since the last election had proved conclusively that the Frontier was solidly against Pakistan. My argument was that the vote against Pakistan was really a vote for a united India, and that once India was to be partitioned they had to be given a fresh chance of deciding which of the two new States they would join.

5. My visit to the N.W.F.P. confirmed me in the view that they would join Pakistan. I am therefore particularly glad that I insisted on the referendum in spite of the strongest possible opposition up to the morning of the 3rd June from Congress. They also prophesied that there would be the most frightful rioting and bloodshed if I insisted on the referendum. It is therefore all the more satisfactory to record the absence of any really serious disturbance during the ten days which the referendum occupied.

6. I visited Lahore on Sunday 20th July and had a meeting with the Punjab Partition Committee⁶ when I discussed the points I referred to in paragraph 3 of my Personal Report No. 13.⁷ It was agreed that the Government of East Punjab should, in any case, move all unessential personnel to Simla on 10th August, though it now appears there may not be adequate room for them all in Simla.

7. It was further agreed that, if the decision of the Boundary Commission places Lahore in the West Punjab, the remnants of the East Punjab Government should leave Lahore by midnight 14th/15th August; and that, if Lahore was placed in East Punjab, the Government of West Punjab should leave Lahore by midnight 14th/15th August—and that detailed plans should be made for this contingency beforehand.

8. It was agreed that the posting of officers should continue on the basis of the notional partition except in the case of Deputy Commissioners and Superintendents of Police in the districts of Gurdaspur, Amritsar and Lahore.

[Para 9 omitted]

10. I am glad to be able to report that all the members of the Punjab Partition Committee, and particularly the Sikh member, Sardar Swaran Singh, declared that their parties would accept and abide by the decision of the Boundary Commission, in spite of threats in the press by both Muslims and Sikhs that they would fight rather than accept an "unfair" award.

[Paras 11 to 13 omitted]

14. I referred in paragraph 7 of my Personal Report No. 13 to the joint statement giving full assurances to minorities and former political opponents in both Dominions; I am glad to say that I had this agreed to⁸ by both parties and Baldev Singh and it was issued to the press on the 24th July. I attach a copy for reference as Appendix I.⁹

15. On the 19th July I received a delegation from the Kalat State to discuss the return of the leased areas together with the Member and Secretary of the Pakistan States Department¹⁰. The Kalat State's representatives claimed that they were an independent sovereign State in treaty relations with the British Government. The Pakistan States Department readily agreed to this view since, in their opinion, the successor authorities in India would inherit any treaty obligations with foreign States on behalf of India, whereas of course the Indian Independence Bill renounces all treaties entered into with Indian States. The matter has now been referred for legal opinion, and it looks as though if the Khan of Kalat insists on his independent status it will cost him the leased territories including Quetta—a high price to pay for vanity. Finally I instructed the Kalat representatives to request the Khan to come and see me and Jinnah in person so as to settle all outstanding details together, and he arrives tomorrow.

16. I have had a preliminary meeting¹¹ this week with Sir C. P. Ramasawami Aiyer who has been bombarding me with telegrams and

issuing statements¹² to the press during the last month about the independence of Travancore after the 15th August. At my meeting with him on the 22nd July he started off by presenting his own case through the medium of a series of files. The first of these contained a number of rather amusing cartoons, to which he took the greatest exception, and in particular one published that morning showing him being spanked by me at this very meeting! The next contained a number of rude cuttings about himself. I advised him to follow the example of Lord Balfour and not to read the newspapers if he is going to let himself get upset in this way. The next file contained cuttings to prove that Gandhi was a dangerous sex maniac who could not keep his hands off young girls. He considered him to be the most dangerous influence in India and said that if he insisted on backing the unstable Nehru against the realistic Patel he would break up the Congress Party within two years. Sir C. P. said that he was not prepared to ally himself with such an unreliable Dominion.

17. By the end of an hour, Sir C. P. had worked off his emotional upset. He claimed that the statements which he himself had made were devised for the consumption of the people of Travancore itself, who were the highest educated in India. He declared that Travancore would never accede to the Dominion of India: he had indeed already made preliminary terms with Mr. Jinnah, including a trade agreement.¹³ I pointed out to Sir C. P. that there could be no objection on the part of the Dominion of India to a trade agreement between Travancore and Pakistan. I went on to say that the States had never controlled their own foreign affairs and defence; and to emphasise the advantages of accession on these two subjects and on communications.

18. Finally, after I had worked on him for more than two hours he came round as far as to say that he might consider a treaty with India. I felt that we had made some progress and let him go and sent V. P. Menon to work on him. Then next day he came back and I informed him that Patel would not be prepared to accept a treaty; Travancore could either accede to the Dominion or stay right out. I said that Dalmia had that morning paid 5 lakhs of rupees into the Travancore Congress Party funds in anticipation of starting internal trouble after the 15th August, and that I was confident that there was more to follow. I pointed out that his only escape from internal trouble lay in accession before the 15th August. He then said this was indeed a serious matter and asked me to write a letter¹⁴ to his Maharajah putting my proposals before him, so that he could take His Highness' pleasure. As I gather the Maharajah is completely under Sir C.P.'s thumb I cannot but feel that this advice has

at least left the door open for Sir C.P. to come in at the last possible moment, provided he finds that I have been able to get every other State into line.

19. Before leaving, he asked me what the position of Travancore would be if India decided to leave the Commonwealth. He asked me if the Maharajah would have the right then to secede from India and whether His Majesty's Government would then allow him to remain within the Commonwealth. I told him I was unable to give him any official opinion, but I thought that it would not be difficult to disentangle himself from India if he had only joined on the basis of the three central subjects; and that whereas His Majesty's Government would never have agreed to allowing the Maharajah to enter separately on a Dominion basis as they did not wish to Balkanise India, I thought he would have a somewhat different case in demanding not to be thrown out once he was in. I re-emphasised, however, that I could give him no assurance beyond pointing out that if he did not accede he would never get into the Commonwealth, whereas if he was once in there might be some prospect that he would be allowed to stay in; and that if all the other States shared his view there would be a good chance that India would not wish to leave the Commonwealth in any case.

20. The Hyderabad delegation is back, and although Sir Walter Monckton had done noble work in bringing the Nizam up to the point of saying that he would accept a treaty with India on the three central subjects, I told them that this would not be good enough, and that the Nizam must accede. Meanwhile the Nizam had written to Jinnah behind Monckton's back saying that he would not take any step without Jinnah's¹⁵ concurrence. The delegation went to see Jinnah who fortunately behaved in his most megalomaniac manner, which put everybody's back up. He said that he could not agree to the Nizam joining India even if he inserted a clause that his forces must never be used to fight Pakistan, for, he said, "I require Hyderabad as an active ally and not as a neutral in any such war".

21. Monckton and I have now agreed together on a co-ordinated plan of campaign to bring the Nizam in, and I have offered to fly down if Monckton feels that he requires my help to pull it off.¹⁶ As a last resort I shall offer to make his second son "His Highness",¹⁷ which I believe would carry a great deal of weight with him; and now that paramountcy is about to be relinquished, this would not create any awkward precedents for us.

22. If we can get Hyderabad and Travancore in I think that nearly all other States will accede. If they refuse there are quite a number of

other States (such as Mysore, Bhopal and Dholpur) who may stand out. I am working hard on the representatives of these three States and believe we shall either get them all in together or have a considerable number standing out.

23. I should like to say here in parenthesis that in my talks with the Rulers I have been surprised by the great store they set not only by retaining their existing honorary military ranks and British decorations and being allowed to remain honorary As.D.C. to the King, but even greater anxiety that they should not be cut off from future consideration as A.D.C. to the King or from receiving British decorations for themselves or their subjects who distinguish themselves. To my equally great surprise Sardar Patel the Member in charge of the States Department, when I raised this aspect with him, said that so far as the future Government of India were concerned they were only too delighted that those States who acceded to the Dominion should remain in courtesy relations with the Crown and be allowed to accept British decorations, ranks and honours. I am sure that this news of the attitude of the future Government of India will be very welcome to His Majesty and to the Cabinet, and it gives me an added lever to bring the States into line before the 15th August.

24. When one thinks that a month ago Congress were insisting that States should join the Constituent Assembly and wished them to join a Constitution which would give them large financial control within the States, I must say that the offer which is now being made is a tremendous advance for the States. It boils down to this— "accession before the 15th August to the Dominion of India for Defence, External Affairs and Communications without any interference in internal autonomy or jurisdiction or any financial implications".

25. I have not yet got Patel to agree to all these terms and even if I get his agreement, he has yet to fight them through the Congress Working Committee. But I am positive that if I can bring in a basket-full [sic] of States before the 15th August, Congress will pay whatever price I insist on for the basket. As Monckton put it—"You are selling something you haven't got, but I shall certainly recommend My Exalted Highness to buy it". I need hardly say that unless we can pull this off, India will be in a bit of a mess after the 15th August.

26. As far as Pakistan is concerned Jinnah says he will offer States Treaties of accession along the same lines, but insists on dealing with each State separately.¹⁸ As he only has the States of Baluchistan, Bahawalpur, Chitral, Dir, Swat and Khairpur who wish to join him and possibly Kashmir, this is reasonable. But as India would have to

deal with some 550 other States we cannot possibly start separate negotiations, and I attach as Appendix II¹⁹ a copy of the instrument of accession, which V. P. Menon has drafted, which I am putting before the full meeting²⁰ of Rulers and States' representatives at the inaugural meeting in the Chamber of Princes this afternoon.

27. Liaquat Ali Khan tells me that the situation between the Pakistan and India officials has become so tense that he does not know how much longer they can continue working together. Since the reconstitution of the Government,²¹ the Secretaries of Pakistan Departments have been turned out of their offices and told to work among the clerks, so that in some cases they have had to move tables and chairs out and are working under the shade of trees. Liaquat was kind enough to admit—"I was one of the strongest opponents of rushing partition through by the 15th August, as I did not think it could be done, but I now wish to God you could get partition through by the 1st August."

28. I got both Jinnah and Nehru to agree that their Navies would fly the white ensign at the ensign staff and the Dominion Flag at the jackstaff, and that the Governors-General would fly the regular Dominion Governor General's Flag, with the King's crest and the name of the Dominion.²² When I showed Jinnah the design of his new flag he announced that he had changed his mind and he intended to design his own flag with his own monogram on it, and he regretted that he could not allow his ships to fly the white ensign. He was only saved from being struck by the arrival of the other members of the Partition Council²³ at this moment. However, I sent Ismay²⁴ round to beat him up as soon as possible, and Jinnah claimed that I must have misunderstood him as of course he was keen that the Pakistan Navy should fly the white ensign, and talked glibly about the "brotherhood of the seas". He also said that he would reconsider whether he would have the King's crest or his own monogram!

[Paras 29 and 30 omitted]

¹No. 228, *TP*, XII, 333-9.

²* See No. 201.

³Mountbatten visited NWFP to get first hand information of the situation there and informed Jinnah about the results of his visit. See No. 376, Vol. I, Part I, 668-78.

⁴Nehru was averse to an election or referendum in the NWFP as it could be considered a triumph for the ML.

⁵The Punjab Partition Committee members were Mumtaz Daultana (ML); Zahid Hussain (ML); Gopi Chand Bhargawa (INC); and Swaran Singh (Panthic Akali). See the *Pakistan Times*, 2 July 1947.

⁶See No. 162, *TP*, XII, 225-6.

⁷See No. 235, Case No. PC/81/8/47.

⁹See Annex. Also see No. 224, *TP* XII, 326-7.

¹⁰See Appendix VII. 13.

¹¹No record of this meeting has been traced but Menon did prepare a brief for a meeting scheduled to be held on 21 July. See No. 185, *TP*, XII, 274-6.

¹²Aiyer had announced Maharaja of Travancore's decision to become independent from 15 August and given an assurance of working in cooperation with the rest of India. See No. 226, *TP*, XI, 438-9.

¹³See Nos. 155 and 161, Vol. II, 327-8 and 337. Also see No. 192, para 4, *TP*, XII, 281.

¹⁴In his letter of 22 July to the Maharaja of Travancore Mountbatten highlighted the advantages of accession in the subjects of defence, foreign affairs and communications promising no interference with customs, tariffs or internal financial arrangements. See No. 203, *ibid.*, 298-9.

¹⁵See No. 162. Also see No. 240, *TP*, XII, 356-8.

¹⁶On 23 July Ismay reported to Mountbatten that he had learnt from Monckton about Nizam's intention of not acceding to the Indian Dominion unless more was known about the latter's future prospects. See No. 228, note 16, *TP*, XII, 337.

¹⁷See No. 11, *ibid.*, 11-2.

¹⁸See Appendix V. 5, para 2.

¹⁹The draft instrument of Accession was finalized by the States Department after discussion with the States Negotiating Committee. It provided for accession of the States to the Dominion of India on the subjects of defence, external affairs and communications and left unaffected the continuance of the Ruler's sovereignty. See Annex to Appendix VII. 19.

²⁰See Appendix VII. 19.

²¹See Annex I to Appendix V. 2.

²²See Appendix VI. 3, paras 26-8.

²³See Enclosure to No. 235.

²⁴See Appendix V. 6.

Annex to No. VI. 4

SPECIAL MILITARY COMMAND FOR PUNJAB

Joint measures to maintain peace during change-over
All parties pledge to accept Boundary Commission award
Statement by Partition Council¹

NEW DELHI, July 24: To safeguard the peace in the Punjab during the transition, the Government of India and the Pakistan Government have together agreed on the setting up of a Special Military Command from August 1, covering 12 districts in Eastern and Western Punjab, announces a joint statement issued by the Partition Council this evening.

Both the Governments have pledged themselves to accept the awards of the Boundary Commissions, whatever these may be.

The Partition Council, which consists of the representatives of the Government of India and the Pakistan Government, have issued a joint statement reiterating the assurances given both by the Congress and the Muslim League of fair and equitable treatment to the minorities after the transfer of power.

An assurance is given that in the exercise of their normal civil rights all citizens will be regarded as equal and both the Governments assure to all people within their territories the exercise of liberties, such as freedom of speech, association, worship and the protection of their language and culture.

VIOLENCE NOT TO BE TOLERATED

The two Governments also emphasise that they are both united in their determination not to tolerate violence in any form in either territory.

To safeguard the peace in the Punjab during the transition, both the Governments have together agreed on the setting up of a Special Military Command from August 1, covering 12 districts in Eastern and Western Punjab.

Both the Governments have pledged themselves to accept the awards of the Boundary Commissions, whatever these may be.

PRESS NOTE

At their meeting² at 5 p.m. on Tuesday, July 22, 1947, the members of the Partition Council (which included Sardar Baldev Singh for this item) decided to issue the following statement. Those present were:

In the Chair—His Excellency the Viceroy;

for the future Government of India—the Hon'ble Sardar Vallabhbhai Patel and the Hon'ble Dr. Rajendra Prasad;

for the future Government of Pakistan—Mr. Jinnah and the Hon'ble Mr. Liaquat Ali Khan; and

on behalf of the Sikhs—the Hon'ble Sardar Baldev Singh.

Now that the decision to set up two independent Dominions from August 15 has been finally taken, the Members of the Partition Council, on behalf of the future Governments, declare that they are determined to establish peaceful conditions in which the processes of partition may be completed and the many urgent tasks of administration and economic reconstruction taken in hand.

Both the Congress and the Muslim League have given assurances of fair and equitable treatment to the minorities after the transfer of power. The two future Governments re-affirm these assurances. It is their intention to safeguard the legitimate interests of all citizens irrespective of religion, caste or sex. In the exercise of their normal civic rights all citizens will be regarded as equal and both the Governments will assure to all people within their territories the exercise of liberties such as freedom of speech, the right to form associations, the right to worship in their own way and the protection of their language and culture.

NO DISCRIMINATION

Both the Governments further undertake that there shall be no discrimination against those who, before August 15, may have been political opponents.

The guarantee of protection which both Governments give to the citizens of their respective countries implies that in no circumstances will violence be tolerated in any form in either territory. The two Governments wish to emphasise that they are united in this determination.

To safeguard the peace in the Punjab during the period of change-over to the new conditions, both Governments have together agreed on the setting up of a Special Military Command from August 1, covering the civil districts of Sialkot, Gujranwala, Sheikhupura, Lyallpur,³ Montgomery,⁴ Lahore, Amritsar, Gurdaspur, Hoshiarpur, Jullundur, Ferozepore and Ludhiana.

With their concurrence Major-General W. Rees⁵ has been nominated as Military Commander for this purpose and Brigadier Digambar Singh (India) and Colonel Ayub Khan (Pakistan) have been attached to him in an advisory capacity. After August 15 Major-General Rees will control operationally the forces of both new States in this area and will be responsible through the Supreme Commander and the Joint Defence Council to the two Governments.

The two Governments will not hesitate to set up a similar organisation in Bengal, should they consider it necessary.

Both Governments have pledged themselves to accept the awards of the Boundary Commissions, whatever these may be. The Boundary Commissions are already in session, if they are to discharge their duties satisfactorily, it is essential that they should not be hampered by public speeches or writings threatening boycott or direct action, or otherwise interfering with their work. Both Governments will take appropriate steps to secure this end; and as soon as the awards are announced both Governments will enforce them impartially and at once."—API.

¹The *Pakistan Times*, 25 July 1947. Also see No. 224, *TP*, XII, 326-7.

²See Enclosure to No. 235, Case No. 81/8/47.

³See Enclosure 1 to No. 1, note 30.

⁴See *ibid.*, note 31.

⁵See Enclosure 1 to No. 153, note 4.

APPENDIX VII

ACCESSION OF STATES

VII. 1

Vallabhbhai Patel to Ramchandra Kak¹

DELHI,
3 July 1947

My dear Prime Minister,

I am addressing this letter to you after a long time with a heavy sense of responsibility. I invite your attention to the second paragraph of my last letter of 11 April 1947,² after which I have not written to you, as you did not choose to send any reply. Conditions in India have since changed considerably, and I do not know how your mind is working at present.

You are aware that on 15th August, India, though divided, will be completely free, and you also know that by this time a vast majority of States have joined the Constituent Assembly of India. I realise the peculiar difficulties of Kashmir, but looking to its history and its traditions, it has, in my opinion, no other choice.

Do you still think that Sheikh Abdullah³ should continue to remain in jail? I am asking this question purely in the interest of Kashmir State. You know my attitude all along and my sympathy towards the State. I am once again advising you as a friend of the State to reconsider the matter without any delay.

His Excellency's visit⁴ was the proper time when this should have been done, but if it is not done now; perhaps it may be too late. I do not wish to write anything more.

Hope you are doing well.

Yours sincerely,
VALLABHBHAI PATEL

¹Durga Das, ed., *Sardar Patel's Correspondence*, Vol. I, *New Light on Kashmir*, Ahmedabad, 1971, 33.

²Patel had inquired from Kak if the latter's attitude towards Sheikh Abdullah and his colleagues still remained "the same" or whether time was "ripe for reconsidering the whole question". See *ibid.*, 32.

³President, Jammu & Kashmir National Conference. He was arrested on 20 May 1946 for inciting people against the State. See No. 364, *TP*, VII, 673-4.

⁴Mountbatten visited Kashmir from 18 June to 23 June 1947. See Appendix X. 3, Vol. II, para 30, 952.

VII. 2

*Vallabhbhai Patel to Maharaja of Kashmir¹*NEW DELHI,
3 July 1947

My dear Maharaja Sahib,

Rai Bahadur Gopaldas [a prominent Hindu of Lahore] saw me today and conveyed to me the substance of your conversation with him. I am sorry to find that there is considerable misapprehension in your mind about the Congress. Allow me to assure Your Highness that the Congress is not only not your enemy, as you happen to believe, but there are in the Congress many strong supporters of your State. As an organization, the Congress is not opposed to any Prince in India.² It has no quarrel with the States. It is true that recent events resulting in the arrest of Pandit Jawaharlal Nehru³ and the continued detention of Sheikh Abdullah have created a feeling of great dissatisfaction amongst many Congressmen who wish well of your State. Pandit Jawaharlal Nehru belongs to Kashmir. He is proud of it, and rest assured he can never be your enemy.

It is unfortunate that none of the Congress leaders has got any contact with Your Highness. Personal contact would have removed much of the misunderstanding, which probably is based largely on misinformation gathered through sources not quite disinterested.

Having had no personal contact, my correspondence has been with your Prime Minister since the arrest of Sheikh Abdullah, and my efforts have been to persuade him to have a different approach to the problem, which in the long run would be in the interest of the State.

It is necessary to assure you that in your domestic affairs the Congress has no intention whatever of interfering. If it had not been so, the Constituent Assembly would not have been able to attract a vast majority of Princes who have joined it, and I have no doubt that the rest will also join with very few exceptions who have no choice owing to peculiar circumstances, for instance Bahawalpur, Kalat, etc.⁴ In the Negotiating Committee, your Prime Minister was present, and our decisions were unanimous in the four meetings⁵ that he attended. In these meetings, all the Princes got complete satisfaction from us about their special rights, privileges, etc. which they enjoyed.

I fully appreciate the difficult and delicate situation in which your State has been placed, but as a sincere friend and well-wisher of the State, I wish to assure you that the interest of Kashmir lies in joining

the Indian Union and its Constituent Assembly without any delay. Its past history and traditions demand it, and all India looks up to you and expects you to take that decision. Eighty per cent of India is on this side. The States that have cast their lot with the Constituent Assembly have been convinced that their safety lies in standing together with India.

I was greatly disappointed when His Excellency the Viceroy returned without having a full and frank discussion with you on that fatal [fateful] Sunday⁶ when you had given an appointment which could not be kept because of your sudden attack of colic pain.⁷ He had invited you to be his guest at Delhi, and in that also he was disappointed. I had hopes that we would meet here, but I was greatly disappointed when His Excellency told me that you did not avail of the invitation.

May I take the liberty of suggesting that it would be better if you even now come to Delhi, when you will certainly be his guest? We want an opportunity of having a frank and free discussion with you in an atmosphere of freedom, and I have no doubt that all your doubts and suspicions, of which I have heard from Gopaldas, will completely disappear. In free India, you cannot isolate yourself, and you must make friends with the leaders of free India who want to be friends with you.

Yours sincerely,
VALLABHBHAI PATEL

⁶See Appendix VII. 1, note 1.

⁷In his statement of 5 July, Patel repeated that the Congress were "no enemies of the Princely Order". See Appendix VII. 3.

⁸Nehru was arrested by the Kashmir authorities on 20 June 1946 for defying an order prohibiting his entry into the State. He had gone to Kashmir in connection with defending Sheikh Abdullah in a sedition trial. See No. 594, *TP*, VII, 1021-2.

⁹See Enclosure to Appendix VII. 10.

¹⁰The earlier meetings had concentrated on the modalities of discussions to be held between the States Negotiating Committee and the corresponding committees of the British India portion of the Constituent Assembly. See No. 326, *TP*, IX, 575-7. Also see No. 276, notes 1 and 2, Vol. I, Part I, 478. In the fourth meeting held after announcement of 3 June Plan Mountbatten urged the States to join either of the successor Dominion Constituent Assemblies. He confirmed that such an action of the States would be "a matter of free choice", and that the question of any State deciding to join neither Constituent Assembly was "hypothetical", at that stage. See Enclosure to No. 27, Vol. II, 65-71.

¹¹22 June 1947.

¹²Nehru had described the attack of colic as an "old trick". See No. 319, para 5, *TP*, XI, 592.

VII. 3

Statement by Vallabhbhai Patel¹

L/P&J/10/81

FUTURE OF THE STATES

Sardar Vallabhbhai Patel's Assurance

Following is the full text of Sardar Vallabhbhai Patel's statement on the Indian States, made on 5th July:

"It was announced some days back that the Government of India had decided to set up a department to conduct their relations with the States in matters of common concern. This Department has come into being today and the States have been informed to this effect.

On this important occasion, I have a few words to say to the Rulers of the Indian States, among whom I am happy to count many as my personal friends. It is the lesson of history that it was owing to her politically fragmented condition and our inability to make a united stand that India succumbed to successive waves of invaders. Our mutual conflicts and internecine quarrels and jealousies have in the past been the cause of our downfall and our falling victims to foreign domination a number of times. We cannot afford to fall into those errors or traps again. We are on the threshold of independence.

It is true we have not been able to preserve the unity of the country entirely unimpaired in the final stage. To the bitter disappointment and sorrow of many of us, some parts have chosen to go out of India and set up their own governments. But there can be no question that despite this separation, the fundamental homogeneity of culture and sentiment, reinforced by the compulsive logic of mutual interest, would continue to govern us. Much more would this be the case with that vast majority of States which, owing to their geographical contiguity and indissoluble ties—economic, cultural and political—must continue to maintain relations of mutual friendship and co-operation with the rest of India. The safety and preservation of these States, as well as of India, demand unity and mutual co-operation between its different parts.

When the British established their rule in India, they evolved the doctrine of Paramountcy, which established the supremacy of British interests. That doctrine has remained undefined to this day but in its exercise there has undoubtedly been more subordination than co-operation. Outside the field of Paramountcy there had been very wide scope in which relations between British India and the States have

been regulated by enlightened mutual interests. Now that British rule is ending, the demand has been made that the States should regain their independence.

I do not think it can be their desire to utilise this freedom from domination in a manner which is injurious to the common interests of India or which militates against the ultimate paramountcy of popular interest and welfare, or which might result in abandonment of that mutually useful relationship that has developed between British India and the Indian States during the last century. This has been amply demonstrated by the fact that the great majority of Indian States have already come into the Constituent Assembly. To those who have not done so, I appeal that they should join now. The States have already accepted the basic principle that for defence, foreign affairs and communications they would come into an Indian Union. We ask no more of them than accession on these three subjects, in which the common interest of the country are involved. In other matters, we would scrupulously respect their autonomous existence.²

This country, with its institutions, is the proud heritage of the people who inhabit it. It is an accident that some live in States and some in British India, but all alike partake of its culture and character. We are all knit together by bonds of blood and feeling, no less than of self-interest. None can segregate us into segments; no impassable barriers can be set up between us. I suggest it is, therefore, better for us to make laws sitting together as friends than to make treaties as aliens.

I invite my friends, the Rulers of the States, and their States and their people to the Councils of the Constituent Assembly in this spirit of friendliness and co-operation in a joint endeavour inspired by a common allegiance to our Motherland, for the common good of us all.

There appears to be a great deal of misunderstanding about the attitude of the Congress towards the States. I should like to make it clear that it is not the desire of the Congress to interfere in any manner whatever with the domestic affairs of the States. They are no enemies of the Princely Order but, on the other hand, wish them and their people, under this aegis, all prosperity, contentment and happiness. Nor would it be my policy to conduct the relations of the new Department with the States in any manner which savours of domination of one over the other; if there would be any domination, it would be that of our mutual interests and welfare. We have no ulterior motive or selfish interests to serve. The common objective should be to understand each other's point of view and come to decisions acceptable to all and in the best interests of the country.³

With this object, I propose to explore the possibility of associating with the administration of the new Department a standing committee representative of both the States and British India.

We are at a momentous stage in the history of India. By common endeavour, we can raise this country to new greatness, while a lack of unity will expose us to fresh calamities. I hope the Indian States will bear in mind that the alternative to co-operation in the general interest is anarchy and chaos which will overwhelm great and small in common ruin if we are unable to act together in minimum of common tasks.

Let not future generations curse us for having had the opportunity but failed to turn it to our mutual advantage. Instead, let it be our proud privilege to leave a legacy of mutually beneficial relationship which would raise this sacred land to its proper place amongst the nations of the world and turn it into an abode of peace and prosperity."⁴

¹No. 528, TP, XI, 928-30.

^{2a)}In his telegram No. 1788-S of 6 July to Listowel, the Viceroy commented on the fifth and eighth paras of Patel's statement: "Though I doubt whether Nehru would go as far as Patel, this may be taken as an official statement on behalf of the Congress and it is likely to have a valuable effect. It also may be useful to you in Parliament". See *ibid.*, note 2, 930.

⁴This statement though issued by Vallabhbhai Patel had been drafted by V. P. Menon who was congratulated by Mountbatten on its terms which the latter considered "quite excellent". See No. 545, item 4, TP, XI, 948.

VII. 4

Maharaja of Kashmir to Louis Mountbatten

IOR, R/3/1/94¹

CONFIDENTIAL

THE PALACE, SRINAGAR, KASHMIR,
8 July 1947

My dear Lord Mountbatten,

Thank you for your letter dated 27th June 1947.²

I am sorry for the delay in sending a reply which was due to the fact that there were rumours that Mahatma Gandhi was not immediately coming to Kashmir—rumours which have now been confirmed by the A.P.I. As for writing to Mahatma Gandhi direct, I feel it would be inappropriate for me to send him a letter in reply to a letter from you. I

am enclosing an official letter in reply to your official letter of the same date which you may show to Mahatma Gandhi.

With regard to the second paragraph of your letter the position generally is as you have stated, though we do not—at least for the time being—consider the question of linking ourselves from the Military point of view with either one or the other the Dominions or of sending representatives to a Constituent Assembly. A decision in these matters will be taken when we see how things turn out and in the light of circumstances as they develop.

Visits of outside leaders who know little of the circumstances prevailing here beyond what they hear from interested parties are embarrassing even in normal times but they have grave potentialities under the present conditions. As I told you, though we have been successful in our endeavour to maintain peace in this State under very trying circumstances, we make no secret of the fact that it is only by hanging on by the skin of our teeth and a measure of luck that we succeeded. Visits of prominent political leaders in an atmosphere surcharged with suspicion and passions such as prevails nowadays keep the country in a ferment and are far from conducing to the maintenance of peace. Moreover the trouble is that if a leader of one political denomination arrives he is bound to be followed by a leader of another denomination, and people therefore constantly live in a state of tension. The political situation in India having developed as it has I would repeat with all the emphasis at my command that it will be extremely difficult in the present conditions to guarantee that as a result of the visit the situation will not deteriorate with consequences that cannot be contemplated with equanimity. That we succeeded in avoiding any untoward incident during Pt. Nehru's second visit last year is true, but conditions then were different. The fever resulting from the partitioning of India and the division of certain Provinces has thrown most people off their balance. He would be a bold man indeed, who could say with any confidence that in the present circumstances a visit of a leader of Mahatma Gandhi's high standing will not produce untoward incidents.

All things considered, I would earnestly request Your Excellency to dissuade all political leaders from visiting Kashmir during 1947. If, however, Mahatma Gandhi is unable to cancel his visit I suggest that it would be in the best interests of this country and of India as a whole that the visit should take place only towards the end of the autumn. But I must emphasise the fact that it is impossible for us to guarantee the prevention of any untoward incident, circumstanced as we are,

though we will, I need hardly assure you, try with all our might and main to safeguard against any such occurrence. I must add that what applies to Mahatma Gandhi, applies to all political leaders³ of similar standing with equal if not greater force.

Yours sincerely,
HARISINGH

¹Also see No. 4, *TP*, XII, 3-4.

²See Appendix VIII. 11, Vol. II, 909-10.

³In view of Maharaja's strong opposition "to any Muslim League leader coming to Kashmir" Mountbatten had "asked Mr. Jinnah not to go or to send anyone" there. See No. 78, *TP*, XII, 114.

Enclosure to No. VII. 4
Maharaja of Kashmir to Louis Mountbatten

IOR, R/3/1/94¹

THE PALACE, SRINAGAR, KASHMIR,
8 July 1947

My dear Lord Mountbatten,

I write to acknowledge receipt of Your Excellency's letter dated 26th June.²

It is true that we have had comparative peace here during the recent months and inspite of the fact that massacre and arson on an unprecedented scale have raged over the country there has been no bloodshed here. But as I told you, this has been the result of a policy of firmness and impartiality which, if I may say so, had been the guiding principle of administration in this State. It would, however, be foolish to assume that because we have succeeded in so far maintaining peace, amidst the terror raging in the neighbouring territories, we can in all circumstances be equally successful. The present is a very inopportune time for political leaders to come to Kashmir as the position is most delicate. A tiny spark, in spite of the best intentions in the world, may set alight a conflagration which it would be impossible to control.

In the circumstances I would say that it would be advisable from all points of view for Mahatma Gandhi to cancel his projected visit to Kashmir this year. If, however, for reasons of his own he is not in a position to do so, I should still say that his visit should take place only towards the end of the autumn.

I note that he has given you his firm assurance that "he will make no political speeches or carry out any form of propaganda."

We have no objection whatsoever to his seeing Mrs. Abdullah but I am afraid it will not be possible for him to see Sheikh Abdullah.¹ There are political considerations which render such a meeting most inadvisable.

I need hardly say that if Mahatma Gandhi would like to stay as my guest during his visit here, I should feel very glad. I would however, again strongly advise that he or any other political leader should not visit the State until conditions in India take a happier turn.

Yours sincerely,
HARISINGH

¹Also see No. 4, TP, XII, 5.

²See No. VIII. 11 and its Enclosure, Vol. II, 909-11.

³See Appendix VII. 1, note 3.

VII. 5

Nizam of Hyderabad to Louis Mountbatten¹

R/3/1/138

HYDERABAD, DECCAN,
9 July 1947

My dear Lord Mountbatten,

I have during the last few days seen Clause 7 of the India Independence Bill² as reported in the Press. I regret that (as has so often happened in recent months) the clause, though it was closely discussed with British Indian leaders, was never disclosed to, much less discussed with me or any representative of my State. I am distressed to see that that clause not only contains a unilateral repudiation by the British Government of the treaties which have for so many years bound my State and my dynasty to the British, but also appears to contemplate that, unless I join one or other of the two new Dominions, my State will no longer form part of the British Commonwealth. The treaties, by which the British Government many years ago guaranteed the protection of my State and my dynasty against external aggression and internal disorder, have been constantly and solemnly reaffirmed in recent years, notably by Sir Stafford Cripps in 1942. I have been

taught that I could safely rely on British arms and the British word and I have been persuaded, in consequence, right up to the present to refrain from increasing my army and from establishing in my State factories for the manufacture of arms and equipment. Nevertheless, the repudiation in Clause 7 of the Bill has been made not only without my consent but without any consultation with me or with my Government.

2. As Your Excellency knows, both before you went to England and while you were there, I asked that my State should be accorded Dominion Status when the British should leave India.³ I have always hitherto felt assured that after more than a century of faithful alliance, during which I have reposed all my confidence in the British. I should certainly be able to remain without question within the family of the British Commonwealth.⁴ Clause 7 appears to deny me even that. I still hope that no difficulty will be allowed to impede direct relations between me and His Majesty's Government. I was recently informed that Your Excellency had undertaken to ensure a pronouncement in Parliament to establish that such relations can be entertained.⁵ My hope is that, once established, these relations will develop into closer union between my State and the British Crown to which, for so many years, I have been tied in faithful alliance.

3. Meantime, I shall undertake and continue active negotiations with the new Dominions in order to reach sensible, practical arrangements for the transition period, so that the future of Indian States and India generally can be assured, so far as possible, in an orderly fashion.

4. I feel bound to make this protest to Your Excellency against the way in which my State is being abandoned by its old ally, the British Government, and the ties which have bound me in loyal devotion to the King Emperor are being severed. I hope that Your Excellency will place my letter before His Majesty's Government. I shall, for the present, refrain from publishing it, lest I should in any way embarrass my old friends and allies in the eyes of the world. I must, nevertheless, retain my right to publish it at a later stage, if it should become necessary in the interests of my State.

Yours sincerely,
MIR OSMAN ALI KHAN

¹No. 33, *TP*, XII, 31-2.

²Enclosure 1 to No. 1.

³In his tel. of 27 May to Mountbatten the Nizam had been hopeful of the former's support for Hyderabad's membership of the Commonwealth as also that ruler's making some kind of Treaty with the British Government after their handing over power in June 1948. See

No. 548, *TP*, X, 1008.

⁴See Appendix VIII. 1 and 2, Vol. II, 886-92.

⁵On 19 June Ismay discussed with Monckton the drafting of Parliamentary Question and Answer on British Government's relations with States after transfer of power. On 26 June Cabinet I & B Committee agreed not to make any statement in response to that Parliamentary Question. See Nos. 261, 326, and 360, minute 2, *TP*, XI, 504-6, 604-5 and 662-4, respectively.

VII. 6

MUSLIMS PRINCES ASKED TO JOIN PAKISTAN CONSTITUENT ASSEMBLY¹

State League Demands Democratisation of Administration

NEW DELHI, July 10: The Working Committee of the All-India States Muslim League, which met here under the presidentship of Mr. Rasool Khan, welcomed the "declarations of independence" by the Nizam and the Maharaja of Travancore, and wholeheartedly supported the All-Jammu and Kashmir Muslim Conference² demand for the declaration of Kashmir as an independent State on the lapse of Paramountcy.

The Committee strongly recommended to the Muslim States to decide to join the Pakistan Constituent Assembly and link up with the Pakistan Dominion Government.

By its main resolution, the Committee appealed to the Rulers of States to completely dissociate themselves from communal bias and bitterness, take all sections of their subjects into their confidence and try to solve their constitutional and political problems in the closest association with their subjects.

The Committee felt that the only safe course for those Indian States, who would not join either of the two Dominions, was to keep harmonious relations with both the Dominion Governments and make arrangements to avoid all immediate causes of conflict or differences.

The Committee further appealed to the Rulers to immediately liberalise and democratise their constitutions, so as to give their subjects full opportunities of sharing the responsibility of administration.

The resolution requested the Indian Princes to declare unequivocally that they would guarantee the protection of the life, honour and property of the minorities and give them adequate constitutional safeguards to preserve their separate social, religious and cultural existence, which would lead to permanent peace, harmony, progress and prosperity.³

The Committee noted "with great disappointment and apprehension" that not a single Muslim representative had been sent to the

Indian Constituent Assembly by those States, which had decided to join it and demanded some special provision to give adequate representation to the Muslims of those States.

The Committee recommended to the Maharaja of Kapurthala to consider the desirability and suitability of Kapurthala joining the Pakistan Constituent Assembly "in view of the fact that Kapurthala is a State where Muslim subjects are in a clear majority".

Other resolutions dealt with the demands and grievances of Muslims in Bharatpur, Cutch and Kathiawar States, Sirohi, Cochin, Jaipore, Patiala and Alwar.—API.

¹The *Pakistan Times*, 12 July 1947.

²The All-Jammu and Kashmir Muslim Conference was represented by the acting President Chaudhary Hamidullah Khan. See Annex.

³Jinnah defined his policy towards minorities on 13 July 1947. See Appendix VIII. 2.

Annex to No. VII. 6

KASHMIR MUSLIMS SUPPORT STATES'S INDEPENDENCE MOVE¹

NEW DELHI, July 4: "Heartiest congratulations on the reported independence decision. I hope that the announcement to this effect will be made soon", says the President of the Jammu and Kashmir State Muslim Conference Co-ordination Organisation, in a telegram to the Maharaja of Jammu and Kashmir.

He adds: "We assure you of our loyal co-operation and earnestly appeal to you to release the Muslim Conference leaders".

It is learnt that Chaudhary Hamidullah Khan, acting President of Jammu and Kashmir Muslim Conference and leader of the Muslim Conference Party in the Kashmir State Assembly, is shortly coming to Delhi where he is expected to attend the meeting of the All-India States Muslim League Working Committee, scheduled to be held early next week. It is further understood that he will also meet Mr. Jinnah² and other Muslim League leaders.—OPI.

¹The *Pakistan Times*, 6 July 1947.

²See No. 108 and Appendix VIII. 1.

VII. 7

States Department to Residents¹
Telegram, Monckton Trustees, No. 39

AGENDA OF THE VICEROY'S CONFERENCE WITH RULERS AND
 REPRESENTATIVES OF INDIAN STATES
 SCHEDULED FOR 25 JULY 1947

IMMEDIATE
 No. I-S

NEW DELHI,
 11 July 1947

[Para 1 omitted]

2. Agenda for conference will be:

(1) Accession of States to appropriate Dominion in respect of Defence, External Affairs and Communications on basis of Part II Government of India Act, 1935 as adapted.

(2) Standstill Agreement.

(3) Advisory Council for States Department.

(4) Arbitral procedure for settlement of disputes between States and Provincial or Dominion Government.

(5) Extradition.

(6) Channel of correspondence and representation of Dominion Government in States.

[Paras 3 to 6 omitted]

¹No. 75, TP, XII, 111-2.

VII. 8

CONGRESS TOLD TO KEEP HANDS OFF KASHMIR¹
 Majority Favours Independence,
 Says Muslim Conference Chief

SRINAGAR, July 15: Ch[audhary] Hamidullah [Khan], President, All-Jammu and Kashmir Muslim Conference, in a Statement to the press warns the Congress to keep its hands off Kashmir.

Ch. Hamidullah said: "After their discomfiture and defeat in NWFP² and Baluchistan³ the agents of the Indian National Congress are once again casting their covetous eyes on Kashmir, and the Congress propaganda machinery is making frantic offers to win over the State to the Indian Union".

To the Indian National Congress, its propagandists, its hirelings, and columnists, I say "Hands off Kashmir". The Muslims of the State, who form 80 percent of the population of Kashmir, have cast their votes in favour of an independent Kashmir under the aegis of the Maharaja.¹ This constitutes a gesture of goodwill towards the minorities whose interest will be safeguarded by the Ruler under the terms of constitution.

Appealing to the minorities not to be led astray by the Congress propaganda, Ch. Hamidullah added: "Let the minorities know once for all that if Kashmir strays off the path of independence and elects to join one of the two Unions, she will not be allowed to maintain her separate entity. Therefore, I think that the only best choice to maintain our integrity is an independent Kashmir".

Referring to that section of Muslims in the State who are opposed to the idea of an independent State, Chaudhary Sahib said: "Such people should not shut their eyes to the fast changing times but they should take a warning from the Khan Brothers.⁵ Let all such Muslims, who for one reason or the other stay out of the Muslim League, join hands with the Muslim Conference and work to set up a strong and independent Kashmir".

¹The *Pakistan Times*, 18 July 1947.

²See No. 201.

³See No. 77, note 4. Also see Appendix VI. 1, para 15.

⁴See Annex to Appendix VII. 6.

⁵Dr Khan Sahib and Abdul Ghaffar Khan.

VII. 9

Louis Mountbatten to Abdur Rab Nishtar¹

Mountbatten Papers

No. 1446/32

17 July 1947

Dear Mr. Nishtar,

I have not replied to your letter of 6 July² earlier because I wished to wait until the reconstitution of the Government had been settled. As you know, that point has now been settled and has a bearing on the difficulty you mentioned about the States Department. Actually I had discussed the matter again with Pandit Nehru and Sardar Patel and they had both agreed that you should be fully associated in any matters relating to States within the periphery of the Dominion of Pakistan.³ The problem is, however, now solved by the splitting up of the Government and you will be able to create your own States Department.

2. In your letter of 9th July⁴ you mention the Conference⁵ presided over by me with representatives of Hyderabad. I presided over this Conference in my capacity as Crown Representative in order to ascertain from Hyderabad representatives the probable reactions of the Hyderabad Government to a practical settlement of questions between them and the future Dominion of India arising out of the prospective lapse of paramountcy. The Hon'ble Member⁶ in charge of the States Department was not present but besides the members of my own staff and of the Political Department, the Muslim Deputy Secretary⁷ of the States Department was present.

3. I am very glad to hear that you would like me to tackle the question of a practical settlement of similar questions between Kalat and the future Dominion of Pakistan. I am, of course, prepared to give all the help I can and, after consulting Mr. Jinnah,⁸ I asked H.H. the Khan of Kalat⁹ to come to Delhi for this purpose with his advisers on 19th July. I should be glad to have a preliminary discussion with you about the issues at stake and will arrange this before meeting His Highness and his advisers.

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 150, TP, XII, 212-3.

²Not traced.

³See No. 37, item 2, TP, XII, 36-8.

⁴Not traced.

⁵See Annexure I to Enclosure to No. 178.

⁶Vallabhbhai Patel.

⁷Akhtar Hussain.

⁸See Appendix V. 2, para 3.

⁹See Annex.

Annex to No. VII. 9
Francis Mudie to Louis Mountbatten

IOR, MSS Eur F. 200/138

D.O. No. 2-S/F

SIND GOVERNOR'S CAMP, ZIARAT,
9 July 1947

Dear Lord Mountbatten,

[Paras 1 to 4 omitted]

[5.] I had a long talk with the Khan of Khalat [Kalat] on the day that the Afghan's demand on HMG for the rendition of certain territory was

announced over the wireless. He had not heard it over the BBC, but knew all about it as the claim had been broadcast from Kabul, to which he apparently listens, for about three weeks. To me, of course, he professed his desire to keep on good terms with Pakistan and to have nothing to do with the approaches of the Afghans, but his wife belongs, I believe, to the Afghan Royal family and I imagine that he would side with those that frighten him most. And I don't blame him. He attributed the Afghan move to the Russians, but that may merely be a bargaining counter with Pakistan. If the Afghans follow up their claims the result will almost certainly be unrest on the western border of Sind.

[6.] On the eastern border there has been no further propaganda by Jodhpur¹ for cession of part of Thar Parkar district to Jodhpur. This is attributed to the death of the Maharaja. I doubt however whether the claim will be allowed to die. Speeches of certain Congress leaders in India indicate fairly clearly that they at least would like to advance the frontiers of that Dominion. I have warned my Premier of both these dangers and also of the danger that, if he gives them a handle, the Congress outside will try to make trouble among the Hindus of Sind to weaken his Government. I have again reminded him of Hitler and the Sudeten Deutsch. He is perfectly willing to give the Hindus a fair deal. The trouble is to get the idea into the heads of some of his colleagues and supporters.

[Paras 7 to 9 omitted]

Yours sincerely,
F. MUDIE

¹See Appendix IV. 1, Vol. II, 849-51.

VII. 10

V. P. Menon to C. P. Scott¹

R/3/1/166

GOVERNMENT OF INDIA, STATES DEPARTMENT,
17 July 1947

My dear Peter,

As desired in your letter of today's date,² I attach a brief for H. E. in connection with his talk with Sardar Abdur Rab Nishtar.

Yours sincerely,
V. P. MENON

¹No. 151, TP, XII, 213-4.

²Asking for a brief for Mountbatten's talk with Nishtar the following day. Also see Appendix V. 5.

Enclosure to No. VII. 10

The States with which the Dominion of Pakistan is concerned are Bahawalpur, Khairpur, Kalat and the States in the N.W.F.P. All these States have Muhammadan Rulers with a predominant Muslim population. The principle which both India and Pakistan ought to follow is "Render unto Caesar that which is Caesar's and unto God that which is God's". If some sort of an understanding is not reached on this matter between the two Dominions, there is bound to be serious trouble ahead.

Kalat is a frontier State and ought really to go into Pakistan.

So far as Bahawalpur is concerned, it touches Bikaner and Jaisalmer in the south and east and has a small common frontier with Ferozepore district. There is however no question of its being absorbed by the Dominion of India, and its rightful place is with Pakistan.

Kashmir presents some difficulty. It is claimed by both the Dominions, and at the present moment my feeling is that the issue should not be forced by either party. It is possible that a predominantly Muslim State like Kashmir cannot be kept away¹ from Pakistan for long and we may leave this matter to find its natural solution. Unlike Hyderabad, it does not lie in the bosom of Pakistan and it can claim an exit to India, especially if a portion of the Gurdaspur district goes to East Punjab.

Khairpur is another State which should obviously form part of Dominion of Pakistan.

If N.W.F.P. goes into Pakistan, there is no question of the Dominion of India having any interest in the States in that Province.

¹The Congress as well as the ML were keen to seek Kashmir's accession to their respective Dominions. While Jinnah accepted the right of a State ruler to join either Constituent Assembly or to remain independent, the Congress insisted on the States' accession in accordance with the wishes of the States' subjects. For that purpose the Congress was keen to send one of its leaders to Kashmir while the Maharaja did not want any political leader to visit Kashmir. See Appendix VII. 4. Also see No. 78, TP, XII, 114-5.

VII. 11

Nawab of Bhopal to Louis Mountbatten¹

R/3/1/138

QASR-I-SULTANI, BHOPAL,
18 July 1947

Your Excellency,

To save time, I sent to Sir Conrad Corfield an advance copy of the

reply of my Government to the invitation for the Conference in Delhi on the 25th instant.² Sir Conrad replied forthwith acknowledging the letter and informed me that he had addressed it to the States Department.

As Your Excellency will be presiding at the opening meeting of the Conference, I feel I should also send to you a copy of my reply. I am therefore enclosing it.

Yours sincerely,
HAMIDULLAH

¹No. 160, TP, XII, 222.

²See Appendix VII. 19.

Enclosure to No. VII. 11
Shuaib Qureshi to Basil Woods Ballard¹

EXPRESS
No. 435-A

MINISTER FOR EXTERNAL AFFAIRS,
GOVERNMENT OF BHOPAL,
15 July 1947

FORMULA FOR THE STANDSTILL ARRANGEMENT ON THE LAPSE
OF PARAMOUNTCY²

Reference Your Express Letter No. 348-Q, dated the 13th July 1947³

The views of the Bhopal Government on the proposals contained in your letter under reference are as follows:

- (1) that those States which have already joined one or other Constituent Assembly and those States which up to the present have not joined can have no common basis for negotiations;
- (2) that while no doubt it may be possible for those States which have already joined a Constituent Assembly to select a small representative Committee to conduct actual negotiations it will not be possible for the Bhopal State, which up to the present has not joined either Constituent Assembly, to conduct negotiation by this means;
- (3) that the Government of Bhopal cannot accept the inclusion of item (1)⁴ of paragraph 2 of your letter under reference in the agenda of any meeting which they may be asked to attend.

3. As regards items (iii) (iv) (v) & (vi) of paragraph 2 of your letter, the Bhopal Government will be prepared to discuss these with item

No. (ii) whenever discussions on these matters can be arranged between the States' Department and the representatives of the Bhopal State.⁵ This would not seem to present any insuperable difficulty as there is reason to believe that separate discussions have already been agreed to between the States' Dept. and other States of an equal status with Bhopal State.

4. The Bhopal Government are as anxious to negotiate, on the basis of equality and freedom, a Standstill Agreement on such matters as are envisaged in clause 7 of the Indian Independence Bill⁶ and feel confident that their point of view as explained in paragraph 2 above, will be appreciated. They, therefore, trust that a suitable opportunity for discussions, on the lines already indicated will be afforded them in due course.

5. As time is very short the Bhopal Government will be grateful if you will kindly forward a copy of their reply direct to the Political Department as well as through the normal channels.

SHUAIB QURESHI

¹Enclosure to No. 160, *TP*, XII, 223.

²For the Draft Standstill Formula, see Appendix to Annexure II to No. 83, Vol. II, 158-9.

³Not traced.

⁴This item presumably dealt with accession by the States to the Dominions on the three central subjects of defence, foreign affairs and communications. See No. 2, *TP*, XII, 2. Also see Appendix VII. 7.

⁵For items (ii)-(vi), see *ibid*.

⁶Enclosure 1 to No. 1.

VII. 12

RESOLUTION OF ALL JAMMU & KASHMIR MUSLIM CONFERENCE CONVENTION¹

18 July 1947

" This Convention of the All Jammu and Kashmir Muslim Conference expresses its jubilation and great satisfaction at the coming into being of Pakistan and offers its congratulations to the Quaid-i-Azam.

The inhabitants of the Princely States of the sub-continent had hoped that they would achieve the objectives of national freedom shoulder to shoulder with the inhabitants of British India but unfortunately, whereas the inhabitants of British India achieved freedom with the partition of the sub-continent, the third June Plan² has strengthened the hands of the rulers of these States; so long as these autocratic rulers do not bow before the demands of time, the future of the inhabitants of

Indian States will remain bleak. Under these circumstances only three alternatives are open to the inhabitants of Jammu and Kashmir State, namely, [1] accession to India or (2) accession to Pakistan or (3) the establishment of a free and independent State.

After carefully considering the position, this Convention of the Muslim Conference has arrived at the conclusion that accession of the State to Pakistan is absolutely necessary in view of the geographic, economic, linguistic, cultural and religious considerations because Muslims constitute eighty percent of the State's population, all major rivers of Pakistan have their source in the State and the inhabitants of the State are strongly connected with the people of Pakistan through religious, cultural and economic relations.

It is, therefore, necessary that the State must accede to Pakistan.

The Convention strongly demands of the Maharaja that the people of Kashmir should be given complete internal autonomy and the Maharaja should treat himself as constitutional Head of the State and set up a representative Legislative Assembly while handing over the portfolios of Defence, Foreign Affairs and Communications to the Constituent Assembly of Pakistan.

The Convention wishes to proclaim that if the Kashmir Government did not accept the demands of the Muslim Conference or did not act upon the advice so tendered, on account of any internal or external pressure and instead brings about accession of the State to the Constituent Assembly of India, the people of Kashmir will stand as one man against such a decision and launch a struggle with all the power at their command".

¹Muhammad Yousaf Saraf, *Kashmiris' Fight for Freedom*, Vol. II, 1979, Lahore, 712-3. Also see Appendix VII. 16.

²No. 1, Vol. II, 1-6.

VII. 13

Minutes of Viceroy's Twentieth Miscellaneous Meeting¹

R/3/1/166

SECRET

THE VICEROY'S HOUSE, NEW DELHI,
19 July 1947, 3.30 pm

PRESENT

Louis Mountbatten

Abdur Rab Nishtar

Conrad Corfield

Mohammed Aslam Khan²
Sultan Ahmed³
Akhtar Hussain

E. B. Wakefield
Erskine Crum

HIS EXCELLENCY'S OPENING REMARKS

His Excellency welcomed the Kalat Delegation.⁴ He explained that it was his desire, as Crown Representative, to settle all matters of potential dispute between the States and the two new Dominions by 15th August.

UNDISPUTED AREAS OF KALAT

His Excellency said that he understood that the districts of Kalat which all concerned acknowledged to be directly administered by the Khan were Makran, Jhalawan, Sarawan, Kachhi and Dombki and Kaheri.

DISPUTED AREAS

His Excellency said that he understood that the status of Kharan and Las Bela was disputed to the extent that the rulers thereof claimed not to be under the suzerainty of the Khan of Kalat. This, however, was a matter for future discussion between the parties concerned and not for the present meeting.

THE LEGAL POSITION OF KALAT

His Excellency asked whether it was considered that Kalat's status in relation to the Crown was that of an Indian State or different.

Nawabzada Mohammed Aslam Khan said that Kalat's position was, in his opinion, defined in the Treaty of 1876,⁵ according to which Kalat was an independent sovereign State in treaty relations with the British Government, and did not rank as an Indian State.

His Excellency said that he was willing to accept that position for purposes of negotiations. Mr. Nishtar said that he also would not contest it.

THE LEASED AREAS

His Excellency said that he understood that the four leased areas of Quetta, Nushki, Nasirabad and Bolan⁶ were to be the main subject of the present discussion.

He explained that the claim that these should be returned to Kalat after the transfer of power was resisted by the representatives of the future Pakistan Government. Their opinion was based on the grounds that the successor authorities in India would, in relation to foreign States, inherit all Treaty obligations incurred on behalf of India; and that the Pakistan Government would be heir to the obligations (both

burdens and benefits) arising out of Treaties made with Kalat—as they would be, for example, to the Anglo-Afghan Treaty of 1921.⁷

Nawabzada Mohammed Aslam Khan⁸ said that Kalat submitted that the leases clearly stated that, whereas on the one side His Highness, his heirs and successors, were affected, the other party was the British Government alone. There was no provision for transfer or inheritance of the leases from the British Government, to which they were personal.

Mr. Nishtar said that he did not agree that these were “personal” agreements. Personal agreements were those which by their nature implied that only a particular person was involved.⁹

Sir Sultan Ahmed said that, as he understood it, the word “personal” had a wider legal meaning. He gave his opinion that the rights and obligations arising out of the Treaty of 1876 could not be transferred to a successor Government. This Treaty had not been made by Kalat with the Government of India, but with the British Government as such. The Kalat representatives could not accept the legal position as understood by the representatives of Pakistan.

His Excellency said that he himself had also been advised that, according to international law, treaties such as this were not invalidated by a transfer of power, but were inherited by the successor authorities. Treaties with States over which the Crown had exercised paramountcy, on the other hand, lapsed. Particular provision was made for this in the Indian Independence Bill.

His Excellency suggested that if, after further discussion, there was no agreement between the interested parties on the legal position, the case might eventually be put before the Arbitral Tribunal. Sir Sultan Ahmed suggested, and it was agreed, that the Khan of Kalat should first talk over the matter with Mr. Jinnah.

Nawabzada Mohammed Aslam Khan said that, if the eventual decision in this matter was in their favour, the Kalat representatives would still be willing to enter into negotiations on the future of Quetta and do their utmost to meet the Pakistan Government’s wishes in a reasonable manner but, with regard to the other three leased areas, they saw no reason why these should not return to Kalat without further discussion.

His Excellency pointed out that Nasirabad would be of no value if the irrigation supply was cut off. If Nasirabad was returned, some arrangements would have to be made in advance for the continuation of this supply. This was a question of mutual interest.

With regard to Nushki, Nawabzada Mohammed Aslam Khan said

that the railway facilities could continue to be used by Pakistan, whatever the legal decision.

Mr. Nishtar said that he did not consider that it would be in the interest of Kalat to have a common frontier with Afghanistan.

Nawabzada Mohammed Aslam Khan said that he believed that a vote taken among representatives of the leased areas on the issue of their joining Pakistan or going to Kalat would result in a decision in favour of the latter. A number of petitions to this effect had been received. He pointed out that previously the only issue had been as between Hindustan and Pakistan.

Mr. Nishtar did not agree that such a vote was likely to have that result. He said that he considered it better, at the present meeting, not to go into the question of the petitions which had been made.

THE FUTURE OF KALAT AS A WHOLE

His Excellency said that he also wished to discuss the future of Kalat as a whole. He explained that he was going to see representatives of the States the following week with a view to suggesting to them that they should adhere to one or other of the Dominions. The Union of India had reduced their demands in this respect to adherence only on the three main subjects of Foreign Affairs, Defence and Communications. In the case of Pakistan, Mr. Jinnah was prepared, as there were so few States concerned, to discuss with each, individually, the question of the method and degree of adherence.

His Excellency pointed out that the British Government had been very anxious to establish the position that, on the transfer of power, paramountcy would lapse and States would *de jure* become independent; but, *de facto*, very few were likely to benefit from independence. Moreover, adherence to a Dominion Government would be the only method, in the future, of maintaining some form of relationship between the Crown and the States. For Kalat, although there was complete liberty of choice, he could personally advise no course other than association on some terms with Pakistan.

Nawabzada Mohammed Aslam Khan said that the Khan of Kalat had the deepest desire to remain on friendly terms with Pakistan. He was prepared to come to an amicable settlement to mutual benefit. He had, in particular, the highest respect for Mr. Jinnah.

¹No. 174, TP, XII, 262-5.

²Prime Minister, Kalat State.

³Adviser to Chamber of Princes.

⁴See Appendix V. 2, paras 3-4, and V. 5, para 8, and Appendix VI. 4, para 15.

⁵See Enclosure 4 to No. 155, Vol. I, Part I, 301-3.

¹The terms upon which these areas were leased by the Khan of Kalat to the British Government are explained in a note by Edward Wakefield under the title "Kalat: Legal Position" which was sent to Abell on 19 July. See No. 174, note 1, TP, XII, 263.

²Concluded at Rawalpindi on 8 August 1921. This treaty put an end to the third Afghan war of 1919 and recognised Afghanistan as a sovereign and independent nation.

³Mohammed Aslam Khan in a letter to Griffin explained about the return of the four leased areas of Quetta, Nushki, Nasirabad and Bolan to Kalat State after the termination of H.Hs' Treaty with the British Government, See Enclosure 1 to No. 155, Vol. I, Part I, 287-92.

⁴Also see Appendix V. 5, paras 2 and 7-8.

VII. 14

*Abdur Rab Nishtar to Louis Mountbatten*¹

R/3/1/138

DEPARTMENT OF COMMUNICATIONS,
26 FERROZESHAH ROAD, NEW DELHI,
20 July 1947

Dear Lord Mountbatten,

I am leaving tomorrow for Karachi and will probably return on Wednesday.² I am sending you a suggestion in connection with the States Conference which is to be held on the 25th instant.³ I understand that at the Conference you propose to discuss with the representatives of various States *inter alia* the question of their accession to one or the other Dominion and the Standstill Agreement. As you know these are matters of vital importance and can be successfully dealt with only if the representatives of the two future Dominions are present at the Conference. Therefore I think it would be better if those members of the Congress and Muslim League who normally attend the Partition Council are invited to attend the Conference. In their absence I believe the discussion may not prove very fruitful because occasions may arise when an authoritative declaration on behalf of the Dominion concerned on certain points arising out of discussion becomes necessary. So far I do not know whether you propose to invite the two members who represent the State Departments of the present Government of India, namely Sardar Patel and myself. But even if we are present as Members in charge of State Departments, we could speak only on behalf of our respective sections of the present Government of India and not on behalf of the future Dominions of India and Pakistan; and I hope you will agree with me that it is the concern of the representatives of the future Dominions to negotiate with regard to the important matters that will be discussed at the Conference.

I had pointed out to you during our discussion on the 18th instant⁴ that at present representations are arranged by Political Department on the basis of set groups but in view of the fact that the States put together in certain groups have adopted different attitudes on the question of joining the Indian Constituent Assembly it is essential that those States who have not joined the said Constituent Assembly are given separate representation because representatives belonging to the States who have decided to join the Indian Constituent Assembly cannot properly represent the views of the others. As a matter of fact one of the main objects of the conference, if I have correctly understood it, is to persuade those who are keeping away so far, therefore their representation is more needed than that of others. You were pleased to direct your Private Secretary⁵ to bring the matter to the notice of Sir Conrad Corfield. I hope necessary steps have been taken in that directions.

Yours sincerely,
A. R. NISHTAR

¹No. 186, TP, XII, 276-7.

²23 July 1947.

³Appendix VII. 19.

⁴Appendix V. 5.

⁵George Abell.

VII. 15

*Louis Mountbatten to Abdur Rab Nishtar*¹

R/3/1/138

No. 592/89

22 July 1947

Dear Mr. Nishtar,

Thank you for your letter of the 20th July² about the States Conference.

It is my intention to meet the representatives of the States separately in my capacity as Crown Representative. I am sure this is the right course. Sardar Vallabhbhai Patel will not be present at the Conference.

If I cannot obtain from the representatives of the States those terms which the two States Departments want, I may find it necessary to put them in direct touch with you, and with Sardar Patel, and if necessary with the Partition Council.

In regard to the point raised in the second paragraph of your letter—individual representation of States included in Groups—there appears to be some misunderstanding. For purposes of States' representation in the Constituent Assembly set up under the Cabinet Mission Plan, it was necessary to distribute among States on a population basis the 93

seats available to them.³ The method of distributing these seats was one of the main questions which the States' Negotiating Committee appointed by the Standing Committee of the Chamber of Princes had to decide in consultation with the corresponding Committee set up by the Constituent Assembly. Agreement was reached in regard to the allocation of these seats, and most of the individual States or groups of States which have decided to participate in the proceedings of the Constituent Assembly have already sent their representatives to that body. This grouping of States was however solely for the purposes of representation in the Constituent Assembly, and it does not bind States in any way in regard to the Conference on July 25.⁴ I enclose a copy of an express letter sent by the Political Department to all Residents on June 21, 1947,⁵ (before the States Department had been formed). This will show that, for the purposes of the Conference, *every*⁶ State is asked to send an accredited representative to the meeting. As many States as possible are asked to combine to send a joint representative, but there is absolutely no suggestion that the grouping adopted for purposes of the Constituent Assembly should be followed for purpose of the Conference.⁷

Yours sincerely,
MOUNTBATTEN OF BURMA

¹No. 217, *TP*, XII, 312-3.

²Appendix VII. 14.

³See Appendix III. 1, paras 19-21, Vol. I, Part II, 39-41.

⁴Appendix VII. 19.

⁵See No. 287, *TP*, XI, 546-7.

⁶Emphasis in original.

⁷The States Negotiating Committee of the Chamber of Princes and the States Committee of the Constituent Assembly agreed that not less than 50 per cent of the total representatives of States shall be elected by the elected members of legislatures or, where such legislatures do not exist, of other electoral colleges. See No. 485, para 3, *TP*, IX, 855.

VII. 16

KASHMIR'S ENTRY IN PAKISTAN DEMANDED¹

Ruler Should Remain Constitutional Head

SRINAGAR, July 21: The All Jammu and Kashmir Muslim Conference Convention which met under the Presidentship of Chaudhary Hamidullah Khan, Acting President of the Muslim Conference, has passed unanimously a resolution² urging the State to join Pakistan.

The resolution says: "This convention is of the considered opinion that in view of its geographical position, means of communication, facilities of import and export of necessities of life, racial and cultural

affinities, contiguity of frontiers as well as the fact that Muslims constitute 85 per cent of the population,³ the only proper course for the State is to join Pakistan."

The resolution also urges the Maharaja of Kashmir to declare internal independence and sovereignty of the State and to accept his own position as that of a constitutional monarch.

The Maharaja is also asked to establish a Constituent Assembly for the State and to surrender matters concerning defence, foreign affairs and communications to the Pakistan Constituent Assembly.

In the end the resolution warns the authorities that if this friendly advice is ignored and the Kashmir Government joins the Indian Union, the Muslims of the State will strongly oppose and condemn such a step.

Two other resolutions, one demanding the release of all political prisoners, and the other protesting against the promulgation of Sec[ti]on 50 and the censorship on the daily *Khidmat* and the weekly *Javed*, have also been passed.—Globe.

¹The *Pakistan Times*, 24 July 1947.

²Appendix VIII. 12.

³Chaudhary Hamidullah Khan had earlier asked the Indian National Congress and its propagandists "to keep their hands off Kashmir". See Appendix VIII. 8.

VII. 17

Cabinet

India and Burma Committee. Paper I.B. (47)146¹

L/P&S/13/1843

HYDERABAD

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

SECRET

INDIA OFFICE,
25 July 1947

I circulate, for the information of the Committee, a letter dated 9th July² from the Nizam to the Viceroy, in which the Nizam:

(a) protests against our unilateral repudiation without consultation of our Treaties with Hyderabad in Section 7 of the Indian Independence Act;³

(b) expresses the hope that a link between Hyderabad and the British Crown is still possible;

(c) declares his intention to negotiate with the new Dominions practical arrangements covering Hyderabad's relations with them for a transition period;

(d) asks that his letter be placed before His Majesty's Government and reserves his right to publish it.

2. On 11th July the Viceroy, with the assistance of officials, met a Delegation from Hyderabad led by the Prime Minister of the State, the Nawab of Chhatari, and including Sir W. Monckton.⁴ At this meeting:

- (i) The Viceroy explained that, although Hyderabad is a country the size of France with a population bigger than that of any existing Dominion, it was surrounded by British Indian territory and His Majesty's Government could not undertake the defence commitment which acceptance of Hyderabad as a separate Dominion might involve. Hyderabad could remain part of the Commonwealth only by adherence to one of the new Dominions. The Hyderabad Delegation replied that Hyderabad had affinities with Pakistan as well as with the Union of India and would have difficulty in compromising its independent sovereignty. If it had to join one of the new Dominions it might prefer Pakistan. The State would be in a difficult position in the event of disputes between Pakistan and India and would favour arrangements for the peaceful settlement of such disputes and for joint defence.
- (ii) The Viceroy explained that the Union of India are ready to accept the adherence of States even if this is confined to defence, external affairs and communications, and that, if Hyderabad accepted this offer, her representatives in the Dominion Legislature would give her a voice in the future of that Dominion. The Viceroy suggested that it might help Hyderabad if the Nizam sent him a letter,⁵ not for publication, making any necessary reservations to his adherence to the Union of India, such as that Hyderabad would remain neutral in the event of hostilities between Pakistan and India, and that she would have the right of secession.
- (iii) On Berar (which cannot legally continue to be administered as part of British India after 15th August without a new agreement between Hyderabad and the Union of India), the Hyderabad Delegation said that the Nizam would agree to a temporary standstill arrangement, provided that this was regarded as a transition to the transfer of Berar to Hyderabad administration. The Nizam would agree to give Berar a free and responsible Government with a Governor appointed by him. The Viceroy replied that Congress would ask for a referendum if the proposal for the transfer of administration was pressed. He suggested a standstill arrangement of indefinite duration, liable to denunciation by either side at 12 months' notice.
- (iv) On Secunderabad, agreement was reached on the retrocession of

the Cantonment Area, and on the principle that Indian troops would be withdrawn as soon as possible, but that withdrawal could not be completed by 15th August.

3. The Hyderabad Delegation have returned to Hyderabad for consultation with the Nizam and are due back at Delhi for further discussions with the Viceroy on 24th July,⁶ preliminary to the Conference between Sardar Patel⁷ and representatives of all States on 25th July.⁸

4. The Viceroy considers that he was able to bring the Hyderabad Delegation much further along the road to agreement than anybody could possibly have hoped, and that if he can once get Hyderabad to stop talking of complete independence, this would set an example which no other State, not even Travancore, could resist.⁹

5. I have also received a proposal from the Viceroy, to which The King has been pleased to agree, that, in the event of Hyderabad adhering to the Union of India, the title of "His Highness" should be given to the second son of the Nizam. Lord Mountbatten understands that this may have a real influence on the Nizam's decision.¹⁰

⁶No. 232, *TP*, XII, 344-6.

⁷Appendix VII. 5.

⁸See F. 4/1-18, *QAP*. Not printed.

⁹See Annexure I to Enclosure to No. 178. Also see No. 61, *TP*, XII, 79-88.

¹⁰The Nizam did not write to Mountbatten again till 8 August. See No. 376, *TP*, XII, 575-8.

¹¹See Appendix VI. 4, paras 20-1. Also see No. 240, *TP*, XII, 356-8.

¹²It had in fact been decided that Mountbatten would meet representatives of the States separately and that Sardar Patel would not be present at the Conference. See Appendix VII. 19, para 2. Also see No. 37, item 2, *TP*, XII, 36-8.

¹³Appendix VII. 19.

¹⁴See Appendix VI. 2, para 32.

¹⁵In order to facilitate negotiations with Nizam, Mountbatten had allowed Monckton to hint that the ruler's second son might be granted title and rank of "His Highness". See No. 11, note 4, *TP*, XII, 12.

VII. 18

Hugh Weightman to the Earl of Listowel
[Extract]

L/P&J/7/12505

ALTNAHARRA HOTEL, LAIRG, SUTHERLAND,
25 July 1947

Dear Lord Listowel,

Thank you very much for your letter of the 21st July² and for your kindness in explaining the issues involved in this matter of the offer of Baluchistan.

I know Jinnah fairly well and I know Baluchistan and its people intimately. I know too that these people have little regard for Jinnah and the League and that they would look on me as an old friend whom they would expect to "protect" them from Jinnah and his henchmen. I dare say it would be easy enough to steer a middle course but it would be vastly unpleasant and the possibility of a really bad misunderstanding would be always present.

That however is not the main difficulty. If I had to serve in India I would frankly prefer to serve Nehru rather than Jinnah. And I have no belief in the working possibility of two Indias. Nehru knows this for I have talked and written to him often on the subject, and he knows too that I have other plans in mind. I offered to go back this month to help him—so far as I could—for a few months on the understanding that I should be free to take up a new career in the early winter. His reply was that as things were turning out with the projected partition, he did not feel justified in asking me to delay my embarking on a new course, and he has written me three very friendly letters in this vein recently. I feel that he would regard my acceptance of a post in Pakistan as a crude piece of chicanery and, unimportant as that may be in the larger issues which H.E. the Viceroy visualises, it would quite certainly offset any advantage that there might be in my accepting Jinnah's offer.

I am much disturbed at the suggestion that my refusal of Jinnah's offer, which of course coincides with my personal interests, may not be in the general interest. But I have given this question a good deal of thought for some months past—since for various reasons I had half-anticipated the offer—and I genuinely believe I should do more harm than good by accepting.

Yours sincerely,
HUGH WEIGHTMAN

¹No. 233, *TP*, XII, 346-7.

²Listowel had asked Weightman if the latter could reconsider his earlier decision not to accept Governorship of Baluchistan in view of Mountbatten's emphasis on taking advantage of all such opportunities offered to the British thereby furthering the prospects of the two Dominions remaining within the Commonwealth. See *ibid.*, note 1. Also see Nos. 186 and 231.

VII. 19

Press Communique' of an Address by Louis Mountbatten to a Conference of the Rulers and Representatives of Indian States¹

R/3/1/139

25 July 1947

A Conference of the Rulers and representatives of Indian States was held at 3.30 p.m. in the Chamber of Princes on Friday, the 25th July, 1947, His Excellency the Viceroy presiding.

Addressing the Conference, H.E. the Viceroy said:

Your Highnesses and Gentlemen,

It is a great pleasure and a great privilege for me to address so many Rulers, Dewans and representatives of the States of India in this historic Chamber of Princes. It is my first and my last occasion that I have the privilege of addressing you as Crown representative.

I would like to begin with by giving you a very brief history of the negotiations I have conducted since I have been out here and the line that I have taken up about the States.

There were two distinct problems that faced me. The first was how to transfer power to British India and the second, how to fit the Indian States into the picture in a manner which would be fair and just to all concerned.

I dealt first with the problem of British India, because you will realise that until that problem was solved it was quite useless to try to start on a solution of the problem of the States. So I addressed my mind to that.

Here I digress. There was a universal acceptance among the States of the Cabinet Mission's Memorandum of May 12² and when the parties accepted my Statement of June 3rd³ they fully realised that withdrawal of Paramountcy would enable the States to regain complete sovereignty. That gave me a starting point from which to try and deal fairly with the States.

But before I got down to dealing with the States there was one other thing that I clearly had to do. I had to address myself to the problem of the mechanics of partition—a plan against my personal desires. As you all know, it took three years to separate Burma from India, in spite of the fact (as I can testify, as also His Highness of Bundi and others) that there are no roads running between India and Burma. Nevertheless, it took three years to arrange that partition. It took two years to separate the Province of Sind from Bombay. It took two years to separate the Province of Orissa from Bihar. Gentlemen, we decided that in

less than 2 $\frac{1}{2}$ months we shall have to go through the partitioning of one of the biggest countries in the world with 400 million inhabitants. There was a reason for the speed, I was quite certain that while the British overlordship remained no satisfactory conclusions could be reached psychologically between the parties. So once we got the two Governments set up and separated, they would be able to try and finish off the details in an atmosphere of goodwill.

Now, the Indian Independence Act releases the States from all their obligations to the Crown.⁴ The States have complete freedom—technically and legally they are independent. Presently I will discuss the degree of independence which we ourselves feel is best in the interests of your own States. But there has grown up during the period of British administration, owing to the fact that the Crown Representative and the Viceroy are one and the same person, a system of co-ordinated administration on all matters of common concern which meant that the sub-continent of India acted as an economic entity. That link is now to be broken. If nothing can be put in its place, only chaos can result, and that chaos, I submit, will hurt the States first—the bigger the State the less the hurt and the longer it will take to feel it—but even the biggest of States will feel herself hurt just the same as any small State. The first step was to set up some machinery by which it was possible to put the two future Governments of India—the Dominion of India and Pakistan—into direct touch with the States. So we conceived the scheme of setting up two States Departments⁵ within the future Governments. Please note that these States Departments are not the successors of the Political Department. They have been set up simultaneously and side by side. While the Political Department exercised functions relating to paramountcy on behalf of the Crown Representative, the States Departments are to take over those subjects gradually which have nothing to do with paramountcy but which will be concerned with relations with neighbouring States and also provide the machinery to negotiate in such matters. In India the States Department is under the admirable guidance of Sardar Vallabhbhai Patel with my own Reforms Commissioner, Mr. V. P. Menon as Secretary. In Pakistan the Department is under Sardar Abdur Rab Nishtar with Mr. Ikramullah as the Secretary. It was necessary to set up two States Departments, one in each Government because the States are theoretically free to link their future with whichever Dominion they may care. But when I say that they are at liberty to link up with either of the Dominions, may I point out that there are certain geographical compulsions which cannot be evaded. Out of something like 565 States, the vast majority are irretrievably linked geographically with

the Dominion of India. The problem therefore is of far greater magnitude with the Dominion of India than it is with Pakistan. In the case of Pakistan the States, although important are not so numerous, and Mr. Jinnah the future Governor-General of Pakistan is prepared to negotiate the case of each State separately and individually.⁶ But in the case of India where the overwhelming majority of the States are involved, clearly separate negotiations with each State is out of the question.

The first step that I took was to suggest that in the Bill before Parliament—the Indian Independence Act—a clause⁷ should be put in which would enable certain essential agreements to continue until renounced by either side. That was only done to ensure that there should be some continuity and to see if in the short time available it was not possible to get the agreement through with every State representative. It does not replace the need for Standstill agreements; it gives a very slight breathing space.

Now, I think it is no exaggeration to say that most Rulers and Dewans were apprehensive as to what their future would be when paramountcy lapsed. At one time it appeared that unless they joined the Constituent Assembly and accepted the Constitution when it was framed, they would be outside the organisation and left in a position which, I submit, if you think it over carefully, no State could view with equanimity—to be left out having no satisfactory relations or contacts with either Dominion Government. You can imagine how relieved I was, and I am sure you will yourselves have been equally relieved, when Sardar Vallabhbhai Patel on taking over the States Department made, if I may say so, a most statesmanlike statement⁸ of what he considered were the essentials towards agreement between the States and the Dominion of India.

Let us turn for one moment to the Cabinet Mission Plan of 16th May 1946. In this Plan the proposal was that the States should surrender to the Central Government three subjects—Defence, External Affairs and Communications.⁹ That was a Plan which, to the best of my belief, every Ruler and every State accepted as reasonable, fair and just. I talked with so many Rulers and everyone felt that Defence was a matter that a State could not conduct for itself. I am not talking of internal security but of defence against external aggression. I submit, therefore, that if you do not link up with one or the other of the Dominions, you will be cut off from any source of supplies of up-to-date arms or weapons.

External affairs is inextricably linked up with Defence. External affairs is something again which is outside the boundaries of India in which not even the greatest State can operate effectively. You can hardly want to go to the expense of having ambassadors or ministers

or consuls in all these foreign countries; surely you want to be able to use those of India and Pakistan. Once more I suggest that External affairs is something that you have not dealt with since the formation of the East India Company. It would be difficult to operate and will also be a source of embarrassment for you to have to take it up and it can only be managed by those who manage the Defence of the country. I submit that if you take it up it will be a liability and not an asset.

The third subject is communications. Communications is really a means of maintaining the life-blood of the whole sub-continent. I imagine everybody agrees that the country has got to go on. The continuity of communications is already provided for to a certain extent in the Indian Independence Act; and most of the representatives here have come to discuss it as item 2 on the agenda.¹⁰

Therefore I am sure you will agree that these three subjects have got to be handled for you for your convenience and advantage by a larger organization. This seems so obvious that I was at a loss to understand why some Rulers were reluctant to accept the position. One explanation probably was that some of you were apprehensive that the Central Government would attempt to impose a financial liability on the States or encroach in other ways on their sovereignty. If I am right in this assumption, at any rate so far as some Princes are concerned, I think I must dispel their apprehensions and misgivings. The draft Instrument of Accession¹¹ which I have caused to be circulated as a basis for discussion and not for publication to the representatives of the States provides that the States accede to the appropriate Dominion on three subjects only without any financial liability. Further, that Instrument contains an explicit provision that in no other matters has the Central Government any authority to encroach on the internal autonomy or the sovereignty of the States. This would, in my view, be a tremendous achievement for the States. But I must make it clear that I have still to persuade the Government of India to accept it. If all of you would co-operate with me and are ready to accede, I am confident that I can succeed in my efforts. Remember that the day of the transfer of power is very close at hand and, if you are prepared to come, you must come before the 15th August. I have no doubt that this is in the best interests of the States, and every wise Ruler and wise Government would desire to link up with the great Dominion of India on a basis which leaves you great internal autonomy and which at the same time gets rid of your worries and cares over External Affairs, Defence and Communications.

The whole country is passing through a critical period. I am not asking any States to make any intolerable sacrifice of either its internal

autonomy or independence. My scheme leaves you with all the practical independence that you can possibly use and makes you free of all those subjects which you cannot possibly manage on your own. You cannot run away from the Dominion Government which is your neighbour any more than you can run away from the subjects for whose welfare you are responsible. Whatever may be your decision, I hope you feel that I have at least done my duty by the States.

His Excellency then proposed the following Committee for a detailed consideration of the items on the agenda:

His Highness the Chancellor the Maharaja of Patiala

His Highness the Maharaja of Baroda

His Highness the Maharaja of Gwalior

His Highness the Nawab of Bhopal

His Highness the Maharaja of Bikaner

His Highness the Maharaja of Nawanagar

His Highness the Maharawal of Dungarpur

His Highness the Maharaja of Panna

His Highness the Maharaja of Sirmoor

The Raja of Korea¹²

The Nawab of Chhatari of Hyderabad

Sir C. P. Ramaswami Aiyer of Travancore

Sir A. Ramaswami Mudaliar of Mysore

Sir V. T. Krishnamachari of Jaipur

Sir B. L. Mitter of Baroda

Mr. M. A. Srinivasan of Gwalior

Sardar K. M. Panikkar of Bikaner

Mr. C. S. Venkatachar of Jodhpur

Sardar D. K. Sen¹³

Dewan Bahadur C. P. Karunakara Menon of Cochin

Rai Bahadur D. A. Surve of Kolhapur

Mr. B. H. Zaidi of Rampur.

His Excellency stated that the idea was to have a compact body to save time. They could split into two sub-committees, one to discuss the draft Instrument of Accession and the other to discuss the Standstill agreements and other matters. He sincerely trusted that the other State representatives would not leave Delhi and that they would maintain daily contact with the members of the Committee to make sure that the Committee are conversant with the majority feelings in the States.

¹²On 23 July V. P. Menon forwarded to George Abell a draft of a speech, for the Viceroy's use at the conference on 25 July 1947. See No. 234, TP, XII, 347-51.

¹³Appendix X, Vol. I, Part II, 479-81.

¹⁴No. 1, Vol. II, 1-6.

¹See Enclosure 1 to No. 1, Clause 7 (1) (b).

²The proposal to set up States Departments in the future Dominion Governments of Hindustan and Pakistan was taken by Mountbatten in his Eighteenth Miscellaneous Meeting on 13 June 1947 and concurred with by Nehru and Jinnah. See No. 175, item 1, *TP*, XI, 320-7. The Indian Cabinet Meeting took the decision to establish States Departments of the Government of India on 25 June 1947. See No. 338 (Case No. 152/32/47), *ibid.*, 620-1. Vallabhbhai Patel in his statement regarding future of the Indian States also announced the Government of India's decision "to set up a department to conduct their relations with the States". See Appendix VII. 3. Following King's assent to Indian Independence Bill, the Interim Government was reconstituted into two groups, one for India and other for Pakistan. According to the Press Communique issued from the Viceroy's House on 19 July 1947 in the two Provisional Governments thereby set up portfolios were redistributed between the members of the erstwhile Interim Government. The Department of States was assigned to Vallabhbhai Patel in case of India and to Abdur Rab Nishtar in case of Pakistan. See the *Pakistan Times*, 22 July 1947. Also see Enclosure to No. 173, *TP*, XII, 262.

³Nishtar had asked for "separate representation of those States which were included in groups of which the majority wished to join the Indian Union, but did not wish to do so themselves." See Appendix V. 5, para 4.

⁴Enclosure 1 to No. 1, Clause 7(1). The clause in question begins with "provided that" and ends with "subsequent agreements".

⁵Appendix VII. 3.

⁶See Appendix III. 1, Vol. I, Part II, 32-42.

⁷Appendix VII. 7.

⁸For details see Enclosure. For the final version, see Enclosure 1 to No. 313, *TP*, XII, 468-71.

⁹A princely State in the Chhatisgarh States Agency. Also see Appendix VI. 1, Vol. I, Part II, 134-5.

¹⁰Foreign Minister, Patiala, 1945.

Annex to No. VII. 19

DRAFT INSTRUMENT OF ACCESSION FOR STATES¹

Not Committed to Accept Any Constitution Framed by India

NEW DELHI, July 25: Indian States, which will be acceding to the Indian Dominion will not be committing themselves in any way to the acceptance of any future constitution of India or fettering their discretion to enter into arrangements with the Government of India under any such future constitution, according to the draft Instrument of Accession circulated among the rulers.

Further, the terms of the Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act 1947² unless such amendment is accepted by the Ruler concerned by a supplementary Instrument of Accession.

The salient features of the Instrument of Accession are:

A State accedes to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purpose of the Dominion shall exercise in relation to the State such functions as may be vested in them by or under the Government of India Act as in force in the Dominion of India on August 15, 1947.

PROVISIONS OF 1935 ACT

The acceding State assumes the obligation of ensuring that due effect is given to the provisions of the 1935 Act as in force on August 15 within the State concerned so far as they are applicable in terms of the Instrument of Accession.

A State accedes to the Dominion on the assurance that if an agreement is made between the Governor-General and the ruler of a State whereby any functions in relation to the administration in the State of any law of Dominion legislature shall be exercised by the ruler of such a State. Then any such agreement shall be deemed to form part of the Instrument of Accession.

It will not be open to the Dominion legislature to make any law for an acceding State authorising the compulsory acquisition of land for any purpose, but the ruler concerned undertakes that should the Dominion, for the purposes of a Dominion law, which applied in the State deem it necessary to acquire any land, the ruler will acquire the land at the expense of the Dominion Government. In case of any disagreement or default the matter should be determined by an arbitrator to be appointed by the Chief Justice of India.

SCHEDULE

The schedule attached to the Instrument of Accession covers matters with respect to which the Dominion legislature may make laws for the acceding States. They include the three subjects, defence; external affairs; communications and ancillary. The lists are substantially those contained in the entries in list one of the seventh schedule of the Government of India Act.

Following is the list:

(a) *Defence*

1. The naval, military and air forces of the Dominion and any other armed force raised or maintained by the Dominion, any armed forces which are not forces of the Dominion but are either within the jurisdiction of the Dominion or are attached to or operating with any of the armed forces of the Dominion.
2. Naval, military and air force works, local self-government in cantonment areas, the constitution and powers within such areas of cantonment authorities, the regulation of house accommodation in such areas.
3. Arms, firearms, ammunition, and explosives.

(b) *External Affairs*

1. External Affairs, the implementing of treaties and agreements with other countries, extradition, including the surrender of criminals

and accused persons to parts of His Majesty's Dominions outside India.

2. Admission into and emigration and expulsion from India, including in relation thereto the regulation of the movements in India of persons, who are not British subjects domiciled in India or subjects of any acceding State. Pilgrimages to places beyond India.
3. Naturalisation.

(c) *Communications*

1. Posts and telegraphs including telephones, wireless, broadcasting and other like forms of communications, post offices savings bank.
2. Federal railways, the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administration as carriers of goods and passengers and the regulation of minor railway[s] in respect of safety.
3. Major ports, that is to say the declaration and elimination of such ports and the constitution and powers of port authorities therein.
4. Aircraft and air navigation. The provision of aerodromes, regulation and organisation of air traffic and of aerodromes.
5. Lighthouses, including lightships' beacons and other provisions for the safety of shipping and aircraft; carriage of passengers and goods by sea or by air.

Extension of powers and jurisdiction of members by the police force belonging to any unit to railway area outside that unit.

(d) *Ancillary*

1. Elections to the Dominion legislature, subject to the provisions of the Act and of any order made hereunder.
2. Offences against laws with respect to any of the aforesaid matters.
3. Inquiries and statistics for the purposes of any of the aforesaid matters.
4. Jurisdiction and powers of all courts with respect to any of aforesaid matters.—API

¹The *Pakistan Times*, 26 July 1947.

²See F. 4/1-18, QAP. Not printed.

APPENDIX VIII

STATEMENTS BY M. A. JINNAH DURING THE
PERIOD 1 TO 25 JULY 1947

VIII.1

JINNAH DEMANDS RELEASE OF KASHMIR DETENUS

Muslim Conference Leaders Meet Quaid-i-Azam¹

NEW DELHI, July 11: "I see no justification for the continued detention of six Kashmir Muslim Conference leaders,² who have been in jail now for the last nine months without trial", says Mr. M. A. Jinnah, in a press statement, after an hour's interview with the Kashmir Muslim leaders here today.

Mr. Jinnah expressed the hope that the Maharaja³ and the Prime Minister⁴ would realise the fast-changing circumstances and said wisdom demanded that the feelings and sentiments of the Muslims who form 80 per cent of the population should not be ignored much less hurt.

Chaudhary Hamidullah Khan, acting President of the All-Jammu and Kashmir Muslim Conference, and Mr. Muhammad Ishaq Qureshi, a member of the Conference Working Committee, had an hour's interview with Mr. M. A. Jinnah this morning regarding the present political situation in Kashmir.⁵

¹The *Pakistan Times*, 13 July 1947.

²Muslim Conference leaders were Ch. Ghulam Abbas, Agha Shaukat Ali, Maulvi Nuruddin, Allah Rakha Saghar, Muhammad Ismail Saghar and Ghulam Mohiuddin Rahbar. See Nos. 59 and 128, note 5, Vol. I, Part I, 132-3 and 253, respectively.

³Hari Singh.

⁴Ram Chandra Kak.

⁵For text of the statement, see No. 108.

VIII.2

MINORITIES WILL BE SAFEGUARDED

Jinnah Reiterates Assurance

Cordial Relations Urged Between Two States¹

NEW DELHI, July 13: Mr. M. A. Jinnah, Governor-General-designate of Pakistan, addressing a press conference this morning, expressed the

hope that the relations between Pakistan and Hindustan would be friendly and cordial. Speaking for Pakistan, he declared there would be no want of goodwill.

He assured the minorities in the Pakistan Dominion that, they would have protection with regard to their religious faith, life, property, and culture. They would, in all respects, be citizens of Pakistan without any discrimination and, no doubt along with it they would have the obligations of citizenship. The minorities would have to be loyal to the State and owe true allegiance to the State.

Replying to a question whether Pakistan would be a secular or theocratic State, Mr. Jinnah said the question was absurd, and he did not know what a "theocratic" State meant. "For goodness sake, get out of your head nonsense that is being talked about", he appealed to those present.

"It is stated in the press", said Mr. Jinnah, "that the League had agreed to a common Governor-General and then, later on, backed out. Let me tell you that it is entirely devoid of any truth and I am surprised that even responsible men have been misrepresenting and making these false allegations that we backed out from what we had agreed to. I do not want to say anything more on this point."

There was a wrong conception with regard to the choosing of the Governors-General, Mr. Jinnah said, "Normally, the Governors-General would have been appointed upon advice of the Ministers of the Cabinet. But in the exceptional circumstances it had been arranged that the successor authorities should choose Governors-General and His Majesty accepted that arrangement, and, therefore, I want to make it quite clear that the Governors-General of Pakistan and Hindustan are chosen by the successor authorities, namely, the Muslim League and the Congress. Therefore, the Governors-General are the chosen [sic] of the people and not as it is ordinarily understood, appointed by the King, as one who holds the office, as was the practice in India in the past. That is rather an important point I wish to make clear."

Q. Does not the Governor-General hold office during His Majesty's pleasure?

Jinnah. It is purely a form, nothing but a form. The Governors-General are the chosen of the people and that is the reason why I have accepted this honour.

MINORITIES

Q. Would you, as Governor-General, make a brief statement on the minorities problems?

Jinnah. At present I am only Governor-General-designate. We will

assume for a moment that on August 15, I shall be really the Governor-General of Pakistan. On that assumption, let me tell you that I shall not depart from what I have said repeatedly with regard to the minorities. Every time I spoke about the minorities, I meant what I said, and I said what I meant. Minorities to whichever community they may belong, will be safeguarded. Their religion or their faith or belief will be protected in every way possible. Their life and property will be secure. There will be no interference of any kind with their freedom of worship. They will have their protection with regard to their religion, their faith, their life, their property, their culture. They will be in all respects the citizens of Pakistan without any distinction of caste, colour, religion or creed.

They will have all the rights and privileges and, no doubt, along with it goes the obligation of citizenship. Therefore, the minorities have their responsibility also and they will play their part in the affairs of the State and as long as the minorities are loyal to the State and owe true allegiance, [and] as long as I have any power they need have no apprehension of any kind.

Q. You said that the minorities in Pakistan, if they are loyal, will be dealt with generously and justly. May we take it this applies to the Muslims in Hindustan as well?

Jinnah. It applies to any minority anywhere in the world. You cannot have a minority which is disloyal and plays the role of sabotaging the State. That minority, of course, becomes intolerable in any State.

I advise Hindus and Muslims, both of them—I advise every citizen to be loyal to his State.

INTEREST IN HINDUSTAN

Q. Would your interest in the Muslims of Hindustan continue as it is today?

Jinnah. My interest will be continued in Hindustan in every citizen and particularly the Musalmans.

Q. As President of the All India Muslim League, what measures do you propose to adopt to assure the safety of the Muslims in Hindu Provinces?

Jinnah. All that I hope for is that the Muslims in Hindustan State will be treated as justly as I have indicated we propose to treat the non-Muslim minorities. I have stated the broad principles of policy, but the actual question of safeguards and protection for the minorities in the respective States can only be dealt with by the Constituent Assembly.

Q. You must have seen reports that in one or two Provinces Congress

Ministries have indicated their intention of abolishing separate electorate and weightage.

Jinnah. I cannot go into these details. The actual provisions with regard to protection and safeguards can only be discussed in the two Constituent Assemblies, where the minorities are represented.

Q. Will they be discussed by the Constituent Assembly jointly or severally.

Jinnah. I cannot prophesy. In the first instance, it is really the domain of each Constituent Assembly. Representatives of the minorities are in both Constituent Assemblies and, therefore, those are problems of the Constituent Assemblies of Hindustan and Pakistan to deal with. I can only express the hope that they will be dealt with in a manner which will give the minorities a sense of security and confidence. I cannot discuss the details.

Q. What are your comments on the recent statements and speeches by certain Congress leaders to the effect that if the Hindus in Pakistan are treated badly they will treat Muslims in Hindustan worse?

CROOKS AND CRANKS

Jinnah. I hope they will get over this madness and follow the line I am suggesting. It is no use packing [*sic*] up the statements of this man here or that man there. You must remember that in every society there are crooks, cranks and what I call mad people (laughter), in every part of the world, and this is hardly the place where we can say, "what about this man's statement and what about that man's statement".

Q. Would you like the minorities to stay in Pakistan, or would you like an exchange of population?

Jinnah. As far as I can speak for Pakistan, I say that there is no reason for any apprehension on the part of the minorities in Pakistan. It is for them to decide what they should do. I cannot order them.

Q. Will Pakistan be a secular or theocratic State?

Jinnah. You are asking me a question that is absurd. I do not know what a theocratic State means.

THEOCRATIC STATE

A correspondent suggested that a theocratic State meant a State where only people of a particular religion, for example, Muslims, could be full citizens and non-Muslims would not be full citizens.

Jinnah. Then it seems to me that what I have already stated is like throwing water on the duck's back (laughter). For goodness' sake get out of your head the nonsense that is being talked about. What this theocratic State means I do not understand.

Another correspondent suggested that the questioner meant a State run by *Maulanas*.

Jinnah. What about Government run by *Pundits* in Hindustan? (laughter).

"When you talk of democracy", Mr. Jinnah said, "I am afraid you have not studied Islam. We learnt democracy 13 centuries ago."

Asked what would be the relations between Pakistan and Hindustan, Mr. Jinnah said: "I have already answered that long before and I repeat it here. I sincerely hope that they will be friendly and cordial. We have a great deal to do, both States, and I think that we can be of use to each other, not to say the world. Being neighbours, from our side I do not think you will find goodwill wanting and I hope and appeal to the press and news agencies to impress this more upon Hindustan.

Q. After your appointment as Governor-General will you resign the presidentship of the Muslim League?

Jinnah. I do not know. As Governor-General I am getting deeper and deeper into politics. I shall have to deal more with realities now.

Q. Will the powers of the Governor-General of Pakistan be the conventional powers of a Dominion Governor-General?

Jinnah. It is all there in the wording of the Bill² (India[n] Independence Bill). You better study that Bill. There are going to be adaptations from the Government of India Act of 1935. At any rate up to March 31, 1948. There are many powers which are vested in the Governor-General.

Q. Does the adaptation you refer to pertain to the present powers of the Governor-General?

Jinnah. To begin with, it does. It will depend again upon the adaptation which is now in the process of being drafted, which may be accepted by each State. The Bill itself says that immediately, the present system of government—administrative, legislative and so on—cannot be snapped straight away. Therefore, during the transitional period, certain adaptations have got to be made until the final constitution emerges from the Constituent Assemblies of the two States. These adaptations are still being hammered out, but this is all subject to the supreme power of the Constituent Assemblies to change anything they like after August 15.

FOREIGN POLICY

Pakistan's foreign policy, said Mr. Jinnah, in reply to further questions would be most friendly to all the nations... We stand for the peace of the world. We will make our contribution, whatever we can do.

Q. Will Pakistan seek admission into the UNO and have diplomatic representation abroad?

Jinnah. Let me get into the saddle and then I will tell you what we will do.

Q. Is there any possibility of Pakistan continuing to remain in the British Commonwealth?

Jinnah. We shall consider that question when the time comes.

Q. Is it not a fact that according to the Lahore Resolution,³ Pakistan will have to be a sovereign State?

Jinnah. We have got all the powers, absolute, full powers, to do what we like.

Q. When you say that States can either declare themselves independent, or join either Constituent Assembly, is it the Princes or the people who assume sovereign status?

Jinnah, referring to the first part of the question, said: "I have said so already and now Mr. Attlee has also made it clear".

Q. Are you satisfied with the way the Partition Council is working?

Jinnah. So far, yes. I cannot say more. So far it is satisfactory. The Pakistan Constituent Assembly, said Mr. Jinnah, would meet in Karachi on August 10. Mr. Jinnah refused to discuss the structure of the Government of Pakistan, as that was a matter for the Constituent Assembly to decide.

Q. What is your personal opinion?

Jinnah. No responsible man expressed his personal opinions in anticipation of the decision of a supreme body like the Constituent Assembly, whose function it is to frame the constitution.

On his attention being drawn to the interest which Afghanistan evinced in the future of the NWFP, Mr. Jinnah said: "Don't worry. The position in the Frontier is quite all right".

Mr. Jinnah requested the press to convey his thanks to all those who had sent him congratulations, greetings and good wishes from India and abroad. It was physically impossible for him to reply to all these messages individually.—API.

¹The *Pakistan Times*, 15 July 1947. Also see No. 224, *TP*, XII, 326.

²Enclosure 1 to No. 1.

³The Lahore Resolution was passed on 23 March 1940, at the annual session of AIML held in Lahore.

VIII.3

TERRIBLY SHOCKED AND DEEPLY GRIEVED, SAYS QUAID-I-AZAM¹

NEW DELHI, July 20: Mr. M. A. Jinnah, Governor-General-designate of Pakistan, in a statement today deeply regretting the assassination² of the members of the Burmese Executive Council stated: "I was terribly shocked and deeply grieved to hear the news of the shooting of Burma Ministers.³ In these days it is within the reach of the people to achieve anything they like for their country by peaceful methods. No power can resist the unmistakable will of an organised people and I am sure that gangsterism cannot have any support or sympathy of the people of Burma.⁴

"I mourn for those who have died and deeply and sincerely sympathise for their families and with those who have been faced with the tragedy and as one of the free and independent nations the people of Burma will make their disapproval of the methods which are opposed to the interests of any civilised and great nation in the management of their own internal affairs." — API.

¹The *Pakistan Times*, 22 July 1947.

²On 19 July, a gang of assassins from a dissenting faction within the ruling Anti-Fascist Peoples Freedom League burst into the Chamber of Burma Executive Council and sprayed the Council Members with bullets. Ibid.

³Those killed included: U. Aung San, Deputy Chairman of the Council; Thakin Mya, Member for Finance; Mahna Ba Khaing, Member for Industry and Labour; Abdul Razak, Member for Education and National Planning; U. Ba Win, Member for Commerce and Supplies; U. Bao Choe, Member for Information; Ohn Maung, Deputy Secretary, Transport and Communications Department; and Sat San Htun, Member for Frontier Areas. Ibid.

⁴Subsequently U. Saw, an ex-Premier of Burma and political opponent of the ruling Anti-Fascist Peoples Freedom League, was arrested for the murders and sentenced to death.